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H.E. Mr. Sam Kahamba Kutesa, 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, January 18th 2015

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

Object: Your 7 2014 '*High-level Events*' and '*Thematic Debates*' on the Post-2015 Development Agenda, Mr. Ban's Synthesis Report, and your coming February 9-10, 2015 event '*on the means to implement of the post 2015 development agenda*' ; France's recent efforts to reform its legal aid system [including the recent parliament reports of July 2014 ([exh. 2](#)) and September 2014 ([exh. 1](#))] ; and my proposals to help the different countries achieve their Post-2015 development objectives [summarized in my letters of December 20th 2013 ([exh. 15](#)), of June 5 2014 ([exh. 12](#)), and of June 30th 2014 ([exh. 11](#))] ; [A PDF version of this letter is at : <http://www.pierregeneviev.eu/npdf2/letunga-7-1-18-15.pdf>].

Dear Mr. Kutesa,
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 letters dated 12-20-13 ([exh. 15](#)), 6-5-14 ([exh. 12](#)) and 6-30-14 ([exh. 11](#)) concerning the preparation of few '*global*' project proposals to help rich and poor countries achieve *their post-2015 'development' goals*, I take the liberty of writing you again **(1)** to make few comments on your 7 2014 '*High-Level Events*' and '*Thematic Debates*', on Mr. Ban's Synthesis Report, and on your coming February 2015 event on the '*means of implementation of the post 2015 development agenda*', **(2)** to discuss France's recent efforts to reform its legal aid system, and **(3)** to put back this recent work on the legal aid system reform in the context of your work on the post 2015 Development Agenda.

2. To prepare this letter, I read many of the statements you made **in 2014** during the 7 '*High-Level Events*' and '*Thematic Debates*' (most of the ones that were written in English and French, several hundred pages), and several hundred (if not thousand) pages of the French parliament reports that were written on the reform of the French legal aid system, so even though this letter is 36 pages long, you may feel that **it summarizes** the various discussions you had in 2014 and the French politicians had on our legal aid system's problems as much as possible. In particular, I will **(1)** stress the importance of paying a more careful attention to what is going on in rich countries if we want to resolve more efficiently our global problems including the eradication of extreme poverty (section C), **(2) relate my arguments and proposals to the statements you made during your 7 2014 preparation events** (section D), and **(3) respond to the concern that the Ambassador of China, Mr. Wang Min**, expressed in his March 6 2014 statement and justify briefly this letter that is not presented by a UN member country's representative (section D, no 77-78), but before I do that, **I must** - as briefly as possible - **(4) review (a) the efforts** that are now going on in France to reform the legal aid system (section A), and **(b) the proposals** that were made by the Senators and '*Députés*' in the two recent parliament reports on this subject, and **(5) look at the consequences of the actual system for the poor** (section B). A table of contents is given on the last page of the letter.

[3. I would be grateful to **Mr. Kutesa** who is **a former lawyer**, I believe, **(1)** if he did not look at my critics against the French lawyers as a general critic against lawyers around the world, because as you will see it below the situation is different in different countries and the remarks I make are related to the legal aid law and to the obligation to have a lawyer in many proceedings **we have in France**, and also **(2)** if he could stress the important role the lawyers play **in the justice process**, and indirectly stress the importance of having **efficient** legal aid systems everywhere around the world if we want **(a)** to eradicate extreme poverty, **(b)** to promote the respect of human rights, **(c)** to resolve our global problems, and, of course, also **(d)** to reach our post 2015 development goals and targets.].

A Comments on Senators Joissains and Mézard July 2014 report, and *Député* (representative) Le Bouillonnet September 2014 report.

4. After the June and July 2014 lawyers' strikes I mentioned in my 30-6-14 ([exh. 11](#)), the French Prime Minister, Mr. Valls, ordered a special report on the legal aid system financing from the French National Assembly to take some urgent decisions ; and in early July, the Senate also presented a new report on the legal aid system reform, so I will comment both the July 2014 Senators' report ([exh. 2](#)) and *Député* Le Bouillonnet's September 2014 report ([exh. 1](#)) ordered by Mr. Valls. These two reports refer to several other reports on the same subject : one from the judiciary inspection service on November **2013** ([exh. 3](#)), one from the *Députés* Gosselin and Pau-Langevin on April **2011** ([exh. 4](#)), one from an eminent private lawyer, Mr. Darrois, in **2009** ([exh. 5](#)), the one I already mentioned from Senator du Luart in **2007** ([exh. 6](#)), and one from a high level administration official, M. Bouchet in **2001** ([exh. 7](#)) [and also a last one that I could not find from two high courts officials (Arnaud/Bélaval) in 2009], so I will also use the statistics and arguments of each of these reports, even if I primarily comments the 2 recent ones. After reading this section, I hope that you will understand better : **(1)** why it is a Frenchman (who has lived many years in the US, me) who is talking to you about the legal aid system problems ; **(2)** why I was victim of many injustices in France and the US (the different injustices I mentioned in my letters over the years) ; **(3) what are the key issues to develop a more efficient legal aid system**, **(4)** why it is very important that you make a special effort in this area (to eradicate extreme poverty) and **(5)** why the proposal I presented you on this subject is **very pertinent**.

5. Before going into the detail of the different reports' arguments, I would like to give you some general and relevant statistics on the subject (for France mainly). First, France has about **66 million inhabitants**, and out of these, **7,4 million households** are concerned by the '*full*' legal aid system [meaning the legal aid system pays in theory 'all' legal expenses for them, and their revenue is around the poverty level or less] and **6,9 million households** are concerned by the '*partial*' legal aid system [meaning the legal aid system pays only a part of the legal expenses for these persons, and they have to pay a part of the expenses to the lawyer (a fee to be negotiated directly with the lawyer), and their revenue is slightly above the poverty level]. There were more than **a million legal aid applications in 2012**, and about **915 000** were granted ; and the number of legal proceedings in which the legal aid was granted, represents **around ¼ of the total number of cases** that were judged in French Courts [in 2012, number of legal aid admissions 915 563, and the number of cases that ended in courts that year 4 128 472, ([exh. 2](#), p. 17)]. The legal aid spending represented in 2012 around **367 million euros** ([exh. 2](#), p. 36), without counting the cost of the legal aid offices which is **around 30 million euros** for 600 legal aid office employees ([exh. 1](#)), and the overall justice budget was **7,7 billion euros** in 2013. As a matter of comparison, in United Kingdom the annual justice ministry budget was **12 billion euros in 2009 with about 2,56 billion euros dedicated to the legal aid system** [([exh. 4](#), p. 13-19), **more than 6 times** the French legal aid system cost for a smaller population **63 million inhabitants** about]. In 2008, France spent for its justice system (including legal aid) **57,70 euros per inhabitant**, and ranked **18th out of 43** in Europe (behind most of western European countries), and it is ranked **37th out of 43** when the comparison is made in percentage of the countries' wealth ([exh. 2](#)).

1) The main problems of the French legal aid system.

a) Problems with the legal aid applications' handling.

6. The general statistics presented above pointed out that the legal aid system budget is very low in comparison to the UK's budget for example, so the resources dedicated to the French legal aid system and the way our system is organized are the main problems of our system. But we need to go into more detail to understand why the actual system cannot be improved significantly if we continue to rely mainly on independent lawyers and why we must absolutely create a group of specialized lawyers dedicated to legal aid. First, as the Senators' report explains it ([exh. 2](#), p. 17), many legal aid applications are judged to be incomplete (**more than 50% of them** actually, and even **80%** in certain legal aid offices), so the legal aid offices are forced to write to the applicants to ask them to furnish the missing documents, which creates an additional cost for the community, and a delay in handling the applications. And at the same time the Senators noticed **(1)** that no investigation is done to verify the facts described in the legal aid applications and **(2)** that the aid is granted without even applying the law standard defined in the article 7 (article 7 states that '*the application must be granted when the case is not obviously inadmissible or not obviously unfounded*'). They notice the negative impact of this problem on the legal aid budget, and more generally blame the poor who take advantage of the system, who are not careful in preparing their applications and who write frivolous applications, but they do not even mention the possibility that when the application is denied, it is also (or at least can be) **denied without applying the proper standard** (described in article 7).

7. In short the poor are not careful in preparing their applications, they take advantage of the system and of the fact that no application is granted in using the article 7 standard, and when the application is denied, it is denied while applying the proper article 7 standard, so they are not victim of any kind of fraud from the legal aid offices' employees or judges, **but the reality is very different**. The legal aid offices do not request additional information or documents to prevent fraud or to avoid granting the aid to a poor who does not deserve it since, as the senators pointed out, no investigation is done and no application is granted in applying the proper standard. They request additional documents or information to show to the poor the power they have over them (to show their capacity to hurt the poor by rejecting his application and by preventing him from resolving his/her legal problems) and/or to force the poor to see a lawyer before applying [and indirectly let the lawyer decide the well-founded of the case based on his commercial criteria and not based on article 7 criteria, and this works since 95% of the application are presented by lawyers according to the 2011 députés' report (exh.4)]. The legal aid offices also try to show the power they have over the lawyers who use the legal aid system to increase their revenue [the 2011 députés' report mentions that the lawyers in Rouen complained against the legal aid office because it asked for additional documents and then denied the applications (supposedly because the poor had not furnished the documents requested) after the lawyer had already done the work to prevent them from getting paid the aid (exh.4)!]. The dysfunctional legal aid law causes most of the legal aid offices' behavioral problems [for example, the way the lawyers are remunerated (and when they are remunerated) leads to wrongdoings ; please for more details on this subject look at my recent (July 21 2014) criminal complaint against the Poitiers legal aid office (exh.9) that explains how the unconstitutionality of the legal aid law transforms itself into day to day criminal statutes violations by the legal aid offices, the designated lawyers and the lawyers associations].

b) The problems linked to the lawyers' retribution when they handle a legal aid case.

8. In my 12-20-13 letter (exh.15), I explained you how France calculated the amount of aid paid to the lawyer for each type of cases and described the main problems of the system, but I must briefly come back on this subject to give you **additional details** that came up in the 2 recent reports and also to comment the proposals they present. The amount of legal aid paid to the lawyer is the product of a unit value (UV) fixed by the government every year in the finance law (this UV is supposed to represent ½ hour of work, and is now around 25 euros) and a coefficient depending on the type of proceedings [the article 90 of the executive order ('décret' in French) linked to the legal aid law describes all the possible types of proceedings covered by the legal aid law, and associates a coefficient to each type, and, in some circumstances, there is also a possibility of extra units, when an expertise is necessary, for example]. **One of the main problems** of this system is that the coefficients do not – **most of the times** - take into consideration the factual or legal complexity of the cases, and, more generally, the real number of hours of work needed to insure an appropriate defense of the poor interests [as the 2013 report (exh.3) states it, **there are few types of proceedings** where the coefficient represents enough time to do the work, **for example in case of a divorce by mutual agreement when the lawyer represents the two spouses**, in this proceeding the coefficient is 50, so the system pays 50 units (Uvs) **which represents 25 hours of work paid**, and this is enough to handle such case]. A second important problem is the fact that the UV is – at this time - valued at about **25 euros**, which gives a **hourly rate of about 50 euros**, and according to the 2007 Senator du Luart's report (exh.6) a '*standard lawyer's firm*' of 2,5 lawyer **has an hourly rate of 150 euros** (and a break-even point of **100 euros**). A more recent estimation presented in one of the recent reports (exh.2 , p. 17) gives an hourly rate of **125 euros** (and a break-even point of **75 euros**), but we need to go into further detail on this issue.

9. The problem of the hourly rate estimations given in the various reports is that they are not very precise and not based on a number of hours invoiced or actually paid that represents **a full 35 hours work week** for example, and that there are also great disparities in term of hourly rate among lawyers [some lawyers can charge more than **600 euros** per hour or even **1000 euros** per hour]. To give you a more precise analysis on this subject, we must look at the lawyers' revenue in general. The lawyer association reports **in 2010** a total revenue for the lawyer's profession (about 50 000 lawyers) of **3,841 billion euros**, an average revenue for the lawyers of **77 295 euros** and a median revenue of **46 169 euros** in 2010 as well (please see [exh.8.1](#)). So if we imagine that a lawyer works about 35 hours a week, which gives 1540 hours a year (for 4 weeks in a month and 11 months in a year), then the lawyers (about 25 000 lawyers) who make the median revenue or less, make **about 31 euros per hour**, which of course is significantly less than the about **50 euros per hour** paid by the actual legal aid system, so we cannot really say that - **for easy or simple cases** - the hourly rate paid by the government is the **main** problem, on the contrary it is appropriate. The coefficients which - most of the time - do **not** take into account the factual and legal complexity of the cases and **the fact that the legal aid is paid at the end of the proceeding are much more serious problems** [even if the hourly rate paid by the legal aid system (about 50 euros) compensates - **in part** - the weak coefficient for certain procedures for the lawyers who earn the median revenue or less (with an hourly rate of about 31 euros)] because the lawyers must often advance significant amounts of money (in the form of work time) when the proceeding is long and more complex than usual. The lawyers (especially the less experienced and poorest ones) cannot, most of the time,

advance money to their customer, so they don't do it and render a very poor service, as it happened to me.

10. The 2 recent reports (in fact all of them) mention this problem of the coefficients that are not appropriate in many different types of cases, and recommend an urgent reform in this area [proposal no 4 p. 51 ([exh. 2](#)), and page 17 - 18 for M. Le Bouillonnet ([exh. 1](#))], but to do this work well and fast (find the average time needed for each type of proceedings) without precise statistics on the matter **is difficult**, and as long as this reform is not done, **the poor are the ones who suffer**. Moreover, finding the appropriate coefficients will not change the fact that the lawyers must advance significant amounts of money to the poor for longer and more complex cases, or that the poor have very little possibilities to control or complaint about the work of their designated lawyers, **so this reform only will not change significantly the quality of the service furnished to the poor**. The lawyer's associations have asked - for sometimes now - the government **to double the legal aid budget**, meaning they want it to be about **700 million euros** (instead of 370 millions, and the senators report seems to support this proposal), but without an immediate reform of the coefficients' values for each type of proceedings, this would mean that the hourly rate paid by the government would become **about 95 euros**, or about **64 euros more than what the lawyers - with the median revenue or less - are now accepting to work** ; so this proposal would be - to me - **a financial 'aberration'** and would probably also lead to a significant increase in the hourly rate for regular clients as well, again without improving significantly the quality of service. M. Le Bouillonnet report of September 2014 ([exh. 1](#)) proposes to increase the 2015 budget **by 30 million euros** to increase slightly the hourly rate which has not changed since 2007 about, but this would not either improve the quality of the service, and/or resolve **all** the other actual problems.

c) The consequences of the bad quality of service furnished to the poor and of the imperfection of the system.

11. Concerning the quality of the service furnished by the lawyer, I just would like to mention a statistic on the use of the legal aid law article 37 (which allows a lawyer to ask the court to sentence the losing party to pay his normal fee if the case is won) that is given in 2013 report ([exh. 3](#)) and in the 2014 senators' report ([exh. 2](#)). The article 37 is used **in less than 0,1 % of the cases** (an number '*quasi-nul*' the report mentions!) although as the reports explain it, **it is designed to improve significantly the lawyer's fee** and to decrease the legal aid cost for the community, and the law was changed to allow the judges to grant the normal fee to the winning party that receives the legal aid, even when the lawyer forgot to ask for it (!). This statistic shows you that **the lawyers make no effort to help the poor win their cases** and that the poor (almost) never win any kind of significant compensations for the prejudice they suffer. Of course, you could have a different interpretation, like for example : '*France is such a perfect and honest country that the poor are never victim of injustices*' and '*the poor always (99,99% of the time) apply for no honest reasons, except for the criminal defense cases*', but that would be a surprising (and not satisfactory) interpretation when you know that the number of poor has increased by 1,4 millions between 2001 and 2010 as I explained you in my 12-20-13 letter ([exh. 15](#)) while the richest Frenchmen have seen their already huge fortune doubled during the same period ! So instead, I hope that when you read these lines, you will understand better why our justice system is a fraud (for the poor...), why I was victim of such obvious injustices in France and the US and why **neither** the legal aid system, **nor** more generally the justice system, has allowed me to obtain a compensation for the grave prejudices I suffered **during the past 20 years**.

12. The very bad result of our aid system is due to the way the law is designed and to the lawyers' dishonest behaviors. The fact that **(1)** the coefficients for each type of proceedings represent a number of hours that is too low for many of them, **(2)** the payment of the aid is done at the end of the proceeding which forces the lawyers to advance 'money' to their clients (sometimes a lot) although they obviously cannot do it and they don't do it, **(3)** an hourly rate that is too low for a large number of lawyers (the most experience ones), **(4)** the impossibility to have different hourly rates depending on the complexity of the case and to sort the cases in function of their complexity to direct them to the competent lawyer, **guarantees that the poor will lose his case** [there is no big bonus in case of a win like there is in the US with the contingencies fees in some cases] ; and the lawyers, they do not want to help the poor who are the adversary of their rich regular clients (most of the time), so they do the minimum of work and take whatever they can take depending on the schedule they have ; and if the case is too long or too complicated, everything is done to get rid of the case with grave consequences for the poor. As I explained it in my recent criminal complaint ([exh. 9](#)), the unconstitutionality of the legal aid law **leads to violations of criminal statutes on the day to day basis** ; since the legal aid budget is very low [370 millions euros in comparison to the 2,56 billions euros in the UK], the legal aid offices and the lawyers do everything they can to only accept the cases that are easy and/or not long to defend (or present) and the ones they cannot avoid, like the criminal

defense cases. For the other cases that do not fit in these types, they cheat [the legal aid offices deny applications without looking at the merit of the case, the lawyers do not come to the appointments they make, do not respond to the phone calls, they do their job very badly], and this leads to criminal offenses [in France an '*abus de confiance*', the public money supposedly paid for all types of legal aid cases is not paid for some more complicated case and instead used or transferred to cases that are easier to handle for the lawyer; it can also lead to obstruction of justice sometimes in certain criminal cases, like in my case ([exh. 9](#))].

13. As you could read it above, the senators Joissains and Mézard and Député Le Bouillonnet propose to increase the budget and to reform the table of coefficients per type of proceedings so that it takes more into consideration the time that needs to be spent on each case, and **they propose various new financing methods** [including taxing rich lawyers which is difficult to justify intellectually], but **(1)** they do not look at the type of injustices the actual system causes to the poor, **(2)** they do not admit that the actual system violates the poor fundamental rights, **(3)** they do not talk about the obligation to be represented by a lawyer in many types of proceedings (and the implication it has for the poor when the legal aid system does not work properly) and **(4)** their proposals do not address **all** the important problems of the system, so they will not improve significantly the quality of the service furnished to the poor. Député Le Bouillonnet mentions that if the lawyers do not agree with his proposals, he would recommend looking at '*other solutions*' that do not use independent lawyers, but he and no one before him simply made the effort of studying how much it would cost to have lawyers civil servants who specialized in legal aid missions, or what would be the benefits of such a system although some countries have already implemented this type of legal aid systems, usually mainly for criminal defense cases like in the US or England. The various reports (since 2001) that I mentioned here, have usually discarded this possibility [on 11-17-14, I wrote to the French government and politicians, and to several experts or professionals in this area ([exh. 0.1](#)) to comment the recent reports and to analyze the possibility of having lawyers specialized in legal aid, so you can find several other remarks or arguments on the subjects addressed here as briefly as possible]. I will now summarize some of the arguments I presented on the proposal to create a group of specialized lawyers and explain why this proposal concerns you and it is relevant at this time.

2) The creation of a group of 5000 (civil servants) lawyers specialized in legal aid.

a) The estimated number of lawyers needed, the estimated budget, and the possible financial gains.

14. To obtain the number of 5000 lawyers, I used the legal aid budget 370 millions euros and the hourly rate paid to lawyers about 50 euros to calculate the total number of hours paid, **7,4 millions of hours paid about** and then I divided this number by **1540 hours** (the number of hours a lawyer can work every year, 35 hours a week, 4 weeks in a month and 11 months in a year) to obtain **4805 lawyers**, or approximately 5000 lawyers. Given that the number of hours paid is not enough to cover the entire legal aid workload needed to do a good job, there is a good chance that this number will not be sufficient **at first at least**, but the transition from the old to the new system will probably take two years about, which gives us enough time to make a more precise evaluation of what is needed and, also, we can still use independent lawyers from time to time [one of the reasons why the system does not work properly is that the lawyers have made no effort over a 23 years period to determine the approximate number of hours they need for each type of proceedings, they do not like transparency obviously, and they want to be able to take **as much money as possible** to their regular clients (when they can), so they did not work on this problem of finding the appropriate coefficients for each type of proceedings ; **it is also true that this is not an easy work to do...**]. As you understand it also, some cases are more complicated than other and may require a greater expertise, so we need to hire experienced or high level lawyers who cost more money per hour. I made an evaluation with different levels of hourly rate, which is not possible to do (easily) with the old system and obtained a budget of **523,6 millions euros** [for **200 lawyers at 200 euros** per hour, **800 lawyers at 125 euros** per hour, and **4000 lawyers at 50 euros** per hour].

15. The use of dedicated civil servants lawyers **(1)** would simplify tremendously the administration of the legal aid system, **(2)** would diminish the basic costs of the system, instead of paying 25 000 different lawyers (and 915 000 different missions !) now with all the work and troubles associated, you only have to pay 5000 salaries..., for example, and **(3)** would also give us the possibility to ask **the ones who are responsible for a part of the expense, to actually pay for a part of it**, which obviously does not happen now (and is impossible to implement with independent lawyers). As we have seen it above, the article 37 (designed to make the losing party pay for the legal aid lawyer's fee) is almost never used, but the 2013 report ([exh. 3](#)) explains that **it should be easy** to increase this very small number of less than 0,1 % **to about 8%**, and this increase would give us a revenue of about **88,3 millions euros** [8% of the total number of legal aid case represents about 73 600 cases, and for an average of 8 hour per case, 588 800 hours paid at 150 euros/hour]. Moreover, another advantage of the use of dedicated civil servants lawyers is that it would improve significantly the quality of service furnished to the poor (for several reasons mentioned below), so we could even imagine that we can do better than 8% with an improved quality of service and obtain a **154 millions**

euros revenue if we can increase the 0,1% to **15%** (with hourly rate asked of 125 euros), which is not negligible [and a revenue of 308 millions euros if we could raise the number to 33% of the legal cases, and a hourly rate of 125 euros also]. We could also imagine that when the damage requested is high (for example above 100 000 euros), the government asks for a percentage of the damage obtained (15% or 20%), and this would also increase the revenue of this group of lawyers and decrease the cost of legal aid for the community, while at the same time contribute to the objective of discouraging everyone to behave badly toward the poor (because they are vulnerable).

b) Some advantages and disadvantages of the use of a dedicated-to-legal-aid-group of civil servants lawyers.

16. Apart from the advantages I already mentioned, we can say that **(1)** the creation of a group of dedicated lawyers **(a)** would allow us to develop a **unique methodology** to handle the cases that could be applied to all the poor, **(b)** would give the less experienced lawyers the possibility to ask for the intervention of more experienced and/or specialized lawyers in certain complicated cases, and **(c)** would permit that the less experienced lawyers be supervised on a day to day basis by a more experienced lawyer, **all of which would improve the service rendered to the poor** (and increase the probability of winning the cases) ; **(2)** this legal aid system would also give us the possibility to develop a **unique computer system** to help the lawyers manage their time and their cases, and to give the government (politicians, researchers,) detailed statistics on the time spent for each type of cases and depending of the lawyers' experience ; statistics that are critical to determine the average time needed for each type of proceedings (an important task, as we have seen it above), to better control the public spending and to study the causes and consequences of poverty (and of course such computer system could be used by other countries that want it, also) ; and **(3)** this new legal aid system would not penalize the independent lawyers because overall the legal aid budget (or expense, 370 millions euros) represents a **very small part** of the total independent lawyers' revenues, **less than 1% in 2010** [the revenue was then around 3,841 billions euros for about 50 000 lawyers (see [exh. 8.1](#)), and in 2007 it represented **only 2,3 % in 2007** ([exh. 3](#))] ; and the lawyers who do a lot of legal aid, would be in a good position to be hired by the state, if they wanted to, and would earn a salary that is better than the median salary of independent lawyers [the 2011 Gosselin report ([exh. 4](#)) mentions that in Seine-Saint-Denis, lawyers have an average revenue of **2200 euros per month** and of **1800 euros** only when they have **less than 10 years' experience**].

17. The 2009 Darrois report ([exh. 5](#)) mentions the possibility of implementing what he calls the '*Quebecois model*' in France [the province of Quebec in Canada is using a legal aid system that relies about 50% on civil servants lawyers and 50 % on private lawyers according to the 2001 Bouchet report, [exh. 7](#)], but it rapidly discards this possibility for very questionable reasons, I believe. For example, it explains that the legal aid work load would not be sufficient to put in place an economically viable system in certain small jurisdictions, but this is obviously not true **at the national level** since we have about 915 000 legal aid admissions in 2012, a number sufficient. Of course, in certain small jurisdictions, we may have to organize the work plan differently to keep the lawyers busy the whole year [for example we may have to use **video conference** and transfer some specific cases to keep certain small jurisdictions' lawyers busy or punctually use independent lawyers in certain smaller towns...]. The report also explains that it would not be good for the career of the lawyers who work in such a dedicated-to-legal-aid group, but this is not a good argument either because such big group of lawyers would give the possibility **(a)** to have significant increase in revenue, **(b)** to handle more complicated case (like class-action cases... or complicated criminal cases...), and **(c)** to work in different types of jurisdictions (including the highest courts). I added other disadvantages (in my recent letters, [exh. 0.1](#)), for example the fact that we would need to hire **rigorous lawyers who accept to document their work by the hour** (or less) to know exactly how much time is spent to resolve one case, and to hire motivated lawyers who accept to work with the poor only ; and that we would also need to develop a '*special complaint procedure*' in case of problems between the lawyers and the poor ; but overall, the disadvantages are very little in comparison to the many advantages for everyone.

18. A recent article in the *New York Times* [[exh. 8.2](#)] states that ACLU, an association defending human rights in the US, has filed a lawsuit against the State of New York to denounce the obvious human rights violations that resulted from the use of the state legal aid system that is supposed to handle the criminal defense of poor citizens who cannot afford a lawyer [see '*public defenders in New York are so overworked and overmatched that poor essentially receive no legal defense at all...*' ; and '*Attorney General Holder who last year declared a crisis in America's legal-defense system for the poor, is supporting (the) class-action lawsuit...*' (this is obviously an important subject that a justice minister (attorney general,) and a government cannot ignore, so the French justice minister, the government, and the parliament should have responded to my letters and arguments on the subject in 2013 and 2014) ; please see also '*The New York public-defender system has been "abusing low-and middle- class people in this system since 1965"*,

(in France our actual legal aid system exists **since 1991**, and it was most certainly as bad before that) ; and '*in 2006 a commission appointed by the state's chief judge, Judith S. Kaye, found that the patchwork system provided "an unconstitutional level" of legal defense.*' (which to me is not surprising of course, and shows that the problem must be addressed at the political level)]. But the article fairly clearly states that the human rights violations are due to the very low budget and to the lack of resources dedicated to the system, so we cannot really discard the proposal I present you here based on this example, especially when at the same time, the United Kingdom has put in place a similar system that appears to be working quite well according to the 2011 Gosselin report ([exh. 4](#), again with a budget 6 times more important than the French one).

19. Both the UK and New York state systems using civil servant lawyers **are limited to the poor criminal defense**, so they lose the possibility to generate revenue for the state in defending civil cases or cases of victims of criminal offenses which is a big mistake for me. In our information society and knowledge base economy we cannot ignore **the civil or administrative cases** of the poor ; and we cannot ignore that various injustices can create poverty and can maintain a person into poverty, **as most of French lawyers do when they assimilate the poor to 'delinquents'** [please see the examples I gave in my 6-30-14 letter ([exh. 11](#)) and my more recent one of 11-17-14 ([exh. 0.1](#))]. And of course, none of these systems uses the possibility to develop an efficient and unique computer system to help the lawyers handle their various cases although such a system could be developed and maintained by several countries to diminish the cost for the community, and used by many different countries, including poor ones, to help achieve our post 2015 development goals. We could (and should) also develop a smaller unique computer application dedicated to handle the legal aid applications (in France the existing ones are not appropriate for several reasons according to several reports), and this system could also be used by several countries. So overall we see that there are many advantages to having lawyers civil servants dedicated to the legal aid work, in fact we cannot resolve the actual problems of our legal aid system, if we continue to rely on independent lawyers to do the work.

3) Conclusion on this section on the French legal aid system reform and the relation to your work on the post 2015 development agenda.

a) The refusal to admit that the actual legal system violates the fundamental rights of the poor.

20. Each '*legal aid system*' report since 2001 mentions that the actual system causes injustices to the poor in one way or the other [please see [exh. 2](#), page 11 : '*une partie des citoyens les plus modestes est laissée de côté*', puis page 22 '*les niveaux de rémunérations actuels ne permettent pas, en tout état de cause, d'assurer correctement la défense des personnes concernées*' ...], but **none of them gives** precise example of the injustices it causes to the poor **or specifically states that the system violates the fundamental rights of the poor** (as the **official report** from the New York State does, it seems, [exh. 8.2](#)), and they do not talk either about the obligation to have a lawyer in many, if not most, proceedings, although this obligation also often prevents the poor from obtaining justice ('*or from having their day in court*' !). And of course, neither the government, nor the Senators and the Députés (representatives) I contacted last year and this year responded to my letters and/or addressed these problems publicly, nor did the press and media that I contacted also and that have, as you could see it in my 6-30-14 letter ([exh. 11](#)), extensively written about the lawyers' strikes and about how generous and dedicated to the poor the lawyers are (!). The courts (judges) also have done everything they could to avoid addressing the issue of the unconstitutionality of the legal aid system I presented to them formally. As I explained you in my 6-30-14 letter ([exh. 11](#)), on 6-17-14 the Poitiers Appeal's Court refused to transmit my '**QPC**' on the unconstitutionality of the French legal aid system to the Cour de Cassation (French Supreme Court) for unfair and, I believe, incorrect reasons. And recently the Supreme Court – the *Cour of Cassation* in France – refused to review immediately my appeal supposedly because it is not in the interest of the good administration of justice to review it urgently, so my QPC is on hold although the question affects the fairness of the entire proceeding (unless they push for a mediation) and all the poor proceedings in general [see no 36-38 below]. I believe that they refuse to admit that the legal aid system violates the poor fundamental rights **for several reasons**:

21. (1) An admission of the unconstitutionality of the system would most certainly allow the poor (who lost their cases because of the dishonest system and) to file lawsuits against the government (as it happens in New York now) and against the lawyers' associations that have maintained the dishonest system despite the many official reports explaining the problems. **(2)** A **dishonest legal aid and justice system (a)** facilitates corruption, **(b)** allows the politicians (and rich private parties like big corporations) to escape prosecution from time to time (see example at no 24-26, no 31-38), **(c)** gives politicians more power [they give them the power to resolve the problems that the justice should (but does not want to) resolve] and **(d)** is a powerful hatred tool. **(3)** **Many politicians** ('*députés*' and senators), and **almost all the ones**

who wrote the official reports I mentioned here, **are also lawyers** [several of them even continue to work as lawyers while working as a representative (!), the former head of M. Sarkozy's party (UMP), Mr. Copé, kept his work as lawyer on a part time basis while being a 'député' (representative), and according to Wikipedia, he was making **20 000 euros / month for this part time job**, in addition to his representative salary], or they have relatives or close friends who are lawyers (Mr. Hollande's son is a lawyer, and Mrs. Taubira close friend and former adviser is high court specialized lawyer...), and the actual system **presents many advantages** for the lawyers [even if it **does not pay very much for each cases, see no 38.1, 48**]. Finally, **(4) politicians, judges, and lawyers have maintained this dishonest legal aid system for more than 20 years**, which is **not** a sign of integrity and professionalism, on the contrary, so they are not eager to admit their fault. At this day no one (from the government or parliament) has responded to my 11-17-14 letter ([exh.0.1](#)) commenting all of their reports (only the Vice-president of the Conseil d'Etat acknowledged the receipt and lecture of the letter, [exh.0.2](#)), and no one from the press and media talked publicly about the problems I mentioned, although they are not problems that affect just us (France), as you could see it above. The US, the number one (or two) economy in the world, has also serious problems in this area, and some countries are already using public lawyers to help the poor, in Canada and the UK for example as we saw it above ; so they should (have) comment (ed) my remarks. And of course their silence is even more serious when you now that 'you', the UN General Assembly, and the UN Secretariat and specialized agencies, are working on the post 2015 development agenda, and eradicating poverty is one of your top priorities.

b) The importance for you of the proposal to create a group of specialized-civil-servant lawyers dedicated to legal aid.

22. The first meeting (high level thematic debate) you will have in 2015, will be '*on the means of implementation of the post 2015 development agenda*', and you know that finding the money to achieve your goals while fighting global warming will not be an easy task, so **this is not a proposal you can overlook if you want to succeed**. I know that there are many different subjects or areas that are critical to achieve your objectives ; for example, I believe that Mr. Kutesa has planned to talk about advancing gender equality, the empowerment of women, the peaceful settlement of dispute, and all of these subjects as well finding ways to create more decent jobs, to promote growth and to strengthen our economies are important to resolve our global problems, but since the eradication of extreme poverty by 2030 and the decrease of the inequalities are two of our major goals, you cannot ignore the possibility to give each country that wants it, an efficient legal aid system with the 2 ready-to-use-world-wide computer applications to implement it. The justice systems around the world are different of course [I personally noticed the differences between the French and the US justice systems], but there are basic steps and elements that are exactly the same everywhere [in France and in the US, the people file complaints or justice requests, their opponents respond, and the judges organize hearings and take decisions..., and the lawyers (should) help them through these various steps (most of the time)...], so it is possible to develop a computer application to help the lawyers and the governments of many different countries in these various common steps and to assist the poor in resolving their legal problems.

23. France has been struggling for years to keep its legal aid system that uses only independent lawyers, even though several countries have opted for a system that uses dedicated civil servants lawyers, at least for the criminal defense, and as you could see above, France has failed to develop an **efficient** system that really protects the poor and that helps them to come out of poverty. In fact, it is the opposite that happened, **more than 1,4 million poor have been added between 2001 and 2010**, while at the same time the richest French men and women have doubled their already very large fortunes. The creation of a dedicated-to-legal-aid group of civil servants lawyers is the only way to have an efficient and simple legal aid system that addresses all our necessary objectives, including limiting the expense as much as possible for the state while maintaining a high-level-quality service for the poor and guaranteeing their constitutional (fundamental) rights. France and the US have obvious problems to resolve in this area, so they could reform their legal aid system in front of the UN and develop the 2 appropriate global computer (Internet) applications to help each countries that want it (in 2016 or earlier), but if they do not want to, other (rich and advanced) countries could do it too. The important point is that if you encourage this proposal, we can plan the implementation of the 2 new global computer systems by the end 2018 or the first half of 2019, and, with luck and determination, we could have around 100 countries or more using the system by 2025, **with all the many benefits available in the last 5 years leg (or even earlier for many countries) of our 15 years plan**.

B The consequences for the poor of the actual legal aid system's flaws, and why would the new system address these flaws.

24. In your debates and statements, you often mentioned the importance of having '*a people-centered approach to development*' or '*in all actions*', **and you are right, this is very important.** In fact here, one of the problems we have in France (and one of the reasons we failed) is that the politicians and experts who studied the legal aid system problems, forgot to look closely (or even just to look) at the problems that the actual system caused to the poor - they forgot 'to have a people center approach' and to put the poor at the center of their preoccupations - , although they are the ones who are primarily concerned by the legal aid system [it is true that, with the lawyers going regularly in the street to complain about the imperfections of the legal aid system **for them**, and given that quite few politicians are also lawyers, it is much easier for politicians to forget about the poor, even though the entire system is supposed to help them, **but it is still a grave error that hurts millions of people.**] So in my recent letter to the Government, the Senate and National Assembly ([exh. 0.1](#)), I pointed out this problem and gave them practical examples of the lawyers dishonest behaviors and of the graves consequences of the dishonest legal aid system for the poor, and I will now briefly do the same here with you. But this section serves other purposes too since **(a)** it also keeps you informed on my ongoing legal proceedings (including my dispute with the Administration), **a useful objective in the context of my application for a job at the UN to help you achieve your post 2015 goals**, **(b)** it helps justify even more my letter presented '*outside the usual channel*' (meaning not presented by the representative of a UN member country or by NGO representative you invited to present a specific point of view on an particular issue), and **(c)** it will allow you to identify certain '*types of behaviors*' that rich countries have on the international scene and that have grave consequences for the international community as we will see it in the next section (section C).

1) The first legal aid application I presented in 1999 at Paris administrative appeal court and the injustice that resulted from the dishonest legal aid system.

25. My troubles with the French administration started with my illegal dismissal from the Department of Essonne (a local administration near Paris) **in March 1993**, and **with the threat** of having problems for the rest of my life if I did not accept my dismissal without an appropriate compensation, I received **from the human resources director**. At the time (in 1993), I did not know that the administration and its president were involved **in a large scale corruption scandal** (it became public in 1997 only), and I did not know that I was also victim of an identity theft and of banking frauds (I learned it in 2011 only), so I could not understand why (and how) I had been fired. But after the frauds became public, I sued the administration **in early 1998** and obtained a judgment in my favor in November 1998 ([exh. 49.2](#)), just after the President of the administration and his wife **were sentenced** for a travel expenses fraud and a *false-employment* fraud in their first criminal trial, out of a series of 4 or 5 different trials that eventually led him to jail in 2001 [it would have been very difficult to present to the justice more proofs of the illegality of a dismissal and of the dishonesty of an employer (and its chief) than the ones I presented in my dismissal trial at the administrative court : for example, the President of the administration was sentenced several times and sent to jail in 2001 for, among other reasons, **(a)** a travel expenses fraud (**and when I was fired, I was developing a computer system that would have prevented the travel expenses fraud** or at least would have made it much more difficult to do), **(b)** the salaries he paid to his wife for no work (**starting on the day I was fired !**),... I omit several other obvious proofs to make it short].

26. After I obtained the judgment in my favor, no one - it seems- , and in particular no one in the administration that was supposed to pay me the **80 000\$** compensation, understood the judgment since they made **3 payments** amounting to less than 20 000\$, and the Department chose to appeal the judgment, although it had no interest and no honest legal reason to appeal it ; **so I applied for legal aid** to defend the appeal and also to ask for an additional amount of money to compensate the additional prejudice they caused me with their refusal to comply with the judgment. The legal aid office granted me only the '*partial*' legal aid (55%), **but no one** (neither the designated lawyer, nor the lawyer's association,) could explain me how much time or money this 55% aid represented because as you have seen above the coefficient are - most of the time - **not** related to the amount of work the lawyer must do [the 2014 senators' report ([exh. 2](#)) points out this problem and proposes to get rid of the partial legal aid and to increase the minimum revenue to obtain the full legal aid as the first report of 2001 ([exh. 7](#)) did too ...]. Moreover, the designated lawyer did not want to hear about the criminal case of the former administration President going on at the same time, although in these circumstances, it was **very important** to address the criminal issues of the case, after the new president of the administration, who was supposed to defend the interest of the employees (or former employees) victims of the frauds, refused to assume his responsibility and took a position in front of the justice (not in the interest of the community, but) to protect some of the persons who participated in the frauds.

27. I explained in detail what the (new) President of the Department of Essonne did wrong (his error ...) in my recent 11-17-14 letter to French politicians ([exh. 0.1](#)) and asked 'him' (who is now a senator) to admit his error, to encourage the French Government to compensate me for the prejudice I suffered, and **to resign from his Senator job** to encourage younger politicians leaders of administration to be more careful in such situation (with frauds punished by the criminal court). Unfortunately for me also, the administrative appeal court used the dishonest legal aid system and the fact that I did not have a lawyer to make me lose my judgment ; it ignored the explanation I gave about the dishonest legal aid system, and used the dishonest authorization to appeal furnished by the Department's President **after the hearing** although no document should (have) be (en) accepted after the hearing (please see the detail in [exh. 0.1](#)), to make me lose my judgment in early May 2000 and to make me owe the administration an important amount of money. I complained at the Administrative Supreme Court and then at the ECHR, but although the 2001 experts' report on the legal aid system ([exh. 7](#)) confirmed the pertinence of the legal aid system problems I had mentioned, they rendered two not-properly-motivated decisions. It is therefore the legal aid system problems (**associated with the dishonest behavior of the administration and the judges, and the obligation to have a lawyer in court**) that prevented me from obtaining justice because it is not at all appropriate for such corruption case that requires to intervene in different courts and that is complicated from a procedural and factual point of view [as we have seen it, the legal aid system pays very little for the important work that needs to be done by the lawyer] ; and in this type of cases, **the politicians** and the administrations take advantages of the imperfections of the legal aid system to cover up their frauds, to rob the poor and to have the poor blamed for their errors (grave frauds).

2) The second 2011 legal aid application in my more recent complaint against the French administration and the legal aid application to present a complaint against the US.

28. In my 12-20-13 letter ([exh. 15](#)), I talked to you about my 2011 administrative complaint against the French Administration (the unemployment agency,) to try to obtain **(a)** the minimum revenue they pay in certain conditions and **(b)** a **small** compensation for the grave prejudice I suffered because of the frauds described above ; and I described you also the behavior of the first designated lawyer who eventually withdrew, and of the lawyer designated to help me in the Administrative Supreme Court. I won part of the case ([exh. 49.1](#)), but the judge did not address the part related to the compensation of the prejudice because you must have a lawyer in this type of proceeding ; so I '*appealed*' the decision to try to obtain the help of a lawyer from Bordeaux where the appeal court is located (with a summary appeal as requested by the Court), and a lawyer was designated, **but** here again the case is fairly complicated and problems immediately arose with the lawyer that led him to withdraw ; and the lawyer's association refused to designate another one and/or to address the problem I had with the designated lawyer. The (factual and legal) complexity of the case and the fact that the legal aid system pays very little – **mainly** - prevented me from obtaining the lawyer's help and from obtaining justice all together (**since this type of proceedings requires a lawyer**). To have the administrative decision canceled can be fairly easy, but if you want to obtain the compensation of a prejudice because of frauds or of human rights violations from the administration, it is much more difficult and the lawyer must be prepared for a long and time consuming proceeding, which they cannot do with the actual legal aid system as we have seen it above and also the lawyers do not want to make the poor win in courts (most of the time) as we have seen it also above.

29. Here again the government took advantage of the situation (and of the dishonest legal law) and did not respond to my offer to look for a solution through **a mediation** [it did not respond either to my letters explaining the unconstitutionality of the legal aid system (or give any position on this critical subject) as we saw it above], **so the proceeding was blocked for more than a year** (causing me a serious prejudice). Then in October 2014, the AA court asked me to have a lawyer confirmed (signed) my various pleadings (only letters asking for a delay) (!) ([exh. 46](#)) because this type of appeal requires a lawyer, so I had to write to them again **(1)** to explain why the obligation to have a lawyer is very dishonest in this context ([exh. 47](#)), and that I could not find a lawyer because of the dishonest legal aid system and of the complexity of my case, and **(2)** to file a new QPC on this same subject of the unconstitutionality of the legal aid system ([exh. 48](#)), **but** the AA court rejected my request on 12-30-14 ([exh. 46.1](#)) arguing that the head of the lawyer's association had told me to find a lawyer and I did not do it, and refused to transmit my QPC because supposedly it did not apply to this case ; it argued that the reason why I did not have a lawyer was **only** due to the fact that I did not look for one, and not due to the fact that the legal aid system is unfair. As the result, I cannot obtain justice, I remain poor, I suffer also a grave prejudice and a grave injustice and I have to file an appeal at the Administrative Supreme Court, which is a complicated task.

30. To conclude this part B 2) on the administrative and civil cases examples, I must also come back briefly on **the legal aid application I filed in March 2011 to complain against the US**, and some of its civil servants that was denied by the legal aid office without a proper motivation [I had discussed this case in detail in my 12-20-13 letter ([exh. 15](#))], and without applying the law (since it was not based on the article 7 criteria) ; it was based only on the fact that this type of cases **is very complicated and time consuming** and requires very special skills (knowledge) that very few lawyers have, and that the legal aid system does not pay enough [and this is of course an obvious proof (or form) of 'abus de confiance' (the legal aid money is dishonestly transferred from the complicated cases to the cases that are easier to handle), and an obvious form of discrimination because the poor with a complicated case is not equal to the poor who has an easy case to handle, see [exh. 9](#)]. It is a grave injustice for me and **it is also 'stupid' on the part of the French government** because I presented obvious proofs of the injustices I was victim of, so with a legal aid system that has competent civil servants lawyers (including some high level lawyers capable of handling a complicated case like this one), France could easily have had the US found guilty on this case and obtained a significant compensation for me and **a significant fee for the state legal aid lawyers**, which, of course, would have decreased the cost of legal aid for the community and encouraged the US administration to work more efficiently and more honestly [It is obvious that the US do not handle the immigrants properly... and that they need to make more effort on this subject. And the US did not hesitate to force the French bank, BNP, to pay a **7 billions euros fine**, so we should not hesitate to point out the US dishonest behavior when they occur also]. Above, you have read how and why the dishonest legal aid system can prevent the poor from obtaining justice in different types of administrative and civil cases, but it is also true for criminal cases. In fact, the consequences of the dishonesty of the legal aid system are even worse in criminal cases because the proceedings have more serious impacts for every one [the system may put in jail people that do not deserve it (as it happens regularly in the US, even on death row), or put them in jail for a longer time than they deserve, or it may cover up grave wrongdoings...]. So I will now describe you the difficulties I encountered in my criminal case to show you the types of problems poor have.

3) The legal aid application for my criminal case against the Credit Agricole and other defendants, the unfair decisions on my OPC (denouncing the unconstitutionality of the French legal aid system).

a) My criminal complaint against the Credit Agricole, its leaders and several other parties.

31. In my criminal proceeding against the Crédit Agricole and other parties for *an identity theft, forgery, obstruction to justice...*, **since the day I asked for legal aid on September 30th 2011** (until recently, at least), the legal aid office, the prosecutor's office, the police, the investigating judge, and the '*Chambre de l'Instruction*' (the appeal court that oversee investigative judges and police work), **have done everything they could** (lying, cheating, violating criminal statutes, stealing documents, **delaying the proceeding for unfair grounds**,) to prevent me from obtaining justice, although again **(1)** it is difficult to bring more proofs of the defendants' faults, **(2)** the main suspect, the Credit Agricole, has admitted that it made '*a mistake*' when it asked me to pay the debt (without telling which error it made !), that I did not have to pay the debt anymore, and that it destroyed the documents of the loan (an accepted-by-the-judges-proof of obstruction of justice, possession of proceeds of crimes), and **(3)** even though some of the questions of law are more complex than in the average case, the situation remains fairly standard since there are about **200 000 identity thefts** every year in France, so the basic facts and the basic criminal offenses are (or should be) fairly standard for the police, the prosecutors and the judges. Moreover, here I was able to find and use several existing legal authorities in my complaints that described very similar situations than the one described in my case and even sometimes that refer to **the same bank** that is involved in my case (!).

32. Someone used my name without my consent and without telling me (of course) to make a loan **on 5-11-87**, and to accept the loan, the bank, a subsidiary of the Credit Agricole, wrote that I was living and working in Poitiers (France), when - in fact - I was working as a teaching assistant and finishing my master degree in the US at Clemson University (**I finished it on August 8 1987**). It is therefore obvious that the bank **did not make any of the verification** (check) it was supposed to make to grant the loan [they did not get a proof that I lived and worked in Poitiers, and did not get copies of my identity papers..., they even made a mistake it seems with the name of the pretended collateral guarantor...]. Then (according to the bank) the loan was paid **from July 1987 to August 1990** (probably by the pretended collateral guarantor, but not by me, I never received any request to pay **before March 2011**), date at which it remained about one year left to pay (12 000 FF, 2000 euros) on the loan ; and **on 2-8-91** they sent the file to **their legal department** who supposedly negotiated several agreements of payments with the pretended collateral guarantor without informing me of anything, but obviously the pretended collateral guarantor stopped paying the loan again few months later (probably around November 1991), and again the bank made no effort to ask me to pay between 1991 and 2001 (year of my departure for the US) **because they knew the contract was a forgery** and they wanted to avoid prosecution. Finally, after more than 20 years on 3-23-2011, there was still a debt of 1000 euros to pay, so they contacted me ([exh. 38.7](#)) on my return from the US to ask me to pay the rest (how they found me so fast is a mystery still !). Just with these few facts, you

can easily imagine **how many criminal statutes the bank and its employees violated**, and how many grave faults they made in this case.

33. First, **they lied about my intentions** (they distorted my will) when they pretended that I made the loan and that I did not want to pay it back (without contacting me and asking me to pay in 1990, 1991, 1992...) to force the *pretended* collateral guarantor to pay, which is a criminal offense (CP 146, old, '*faux intellectuel*'), and they necessarily knew that they were using a false contract (a forgery), and my name to make money, which is also a criminal offense (CP 441-1, '*usage de faux*'). Then in addition to that they destroyed the documents of the loan to erase all the written proofs of their faults (because the file could not contain any of the verification documents they were supposed to have...), another criminal offense (CP 434-4, obstruction to justice) [they also necessarily violated **the banking secrecy** to find me so fast after my return to the US, another criminal offense, C.pén. a. 226-13]. **The more recent facts (since March 2011) also** put forward the violation of a very recent criminal statute C.pén. a. 226-4-1 [use of personal data on a person to trouble this person's tranquility, and to attack this person honor...] and the violation of C.pén. a. 321-1 ['*recel*' **possession of proceeds of crimes**']; these offenses raise questions of law that are a little bit more difficult to handle, but the police and the prosecutor's office had obvious proofs of grave wrongdoings [for example, the proof that I did not lie about the fact that I was in the US when the loan was made, and the fact that the bank had no interest in destroying the loan documents and in **not** cooperating with me to find the truth unless they knew they had committed all these criminal offenses]. Why would the bank destroy the loan's documents which were proofs of their right to collect a significant amount of money and proofs of their innocence in grave frauds (!) ? They destroyed the documents to cover up their obvious frauds, and by doing so committed a criminal offense [and the police and prosecutor who refused to investigate (and could not ignore this), ignored it only to cover up the frauds and to prevent me from obtaining justice, **at least temporarily. It seems that, on 1-5-15, they have changed their mind, see explanation below no 38.2**].

b) The precision of my complaint and the more difficult questions of law.

34. My criminal complaint addressed all the (technical) legal issues in detail and presented **recent** legal authorities to support my arguments and to justify the well-founded of the complaint, so the police did not have a difficult work to do on this subject, just to verify my legal authorities eventually, if they were not sure. There were also the problems of the damage I suffered and of the '*direct link*' between the criminal offenses and the damage, **but here again I spent 5 pages to precisely describe these important points too** [see the table of contents of complaint [exh. 43.2](#), the damage first 2012 estimation [exh. 36.2](#), and few pages of the complaints [exh. 43.1](#)], so when the prosecutor lied in his order ([exh. 44](#)) and pretended that I was not precise enough in my complaint and that I did not describe the damage, nor the link between the criminal offenses and the damage (more than a years after I filed the complaint in 2-2013), **it was a very serious problem** which had (and still has) **very grave consequences** (for me and for the investigation) because **(1)** the lies (incorrectly) justified the police refusal to investigate, prevented further investigation, and caused **an important delay** in the proceeding, and because the more they wait to investigate and to resolve this affair, **the more proofs are lost and the more I suffer**. The bank is troubling my tranquility ... and attacking my honor since March 2011 with its faults, and the fact that they admit having made a mistake on this case, does **not** change anything for me, especially when at the same time they refuse to give me the most basic information and they act completely stupid when they pretend that they cannot be responsible for any of the prejudice I suffered without giving any reason why they cannot be responsible.

35. I complained about the dishonest responses to my letters (asking for detailed information and their cooperation) to the CEO of the bank several times, but he never responded properly, so eventually, I wrote to the Bank's board of directors **in early May 2014** ([exh. 34](#)) to ask them to change their strategy and to cooperate with me and with the police (without success, see their response [exh. 35](#)), and then again on 8-30-14 ([exh. 36](#)), to inform them that if they did not explain more clearly their position and they did not cooperate, I would consider suing them along the CEO and using their salaries to calculate the damage requested (with this new development the damage I suffered **now** amounts to **12,8 million euros** and increases by **910 000 euros** every months), again without success ([exh. 37](#)). So I modified slightly my criminal complaint to add all the Board members in their individual capacity in my lawsuits (please see [exh. 39](#)). The bank knows exactly how the legal aid system works and how the justice system works for the poor (in particular how the criminal procedural code gives no right to any victim who does not have a lawyer), so they make no effort to help me or the police and instead they win time and take advantage of the fact the police and the prosecutor office cheated and did not investigate the case [**and I must file more and more pleadings to denounce the dishonest legal aid law and obligation to have a lawyer...**]. They can pay the best lawyers in Poitiers who know very well the police, the prosecutors and the judges, so they are informed of what it is going on even before I know it, and perhaps sometimes before the prosecutors and judges even take (officially) their decisions.

c) *The refusal to comment in writing on my QPC on the legal aid system, the decision of the higher court on the refusal to investigate from the police...*

36. The bank's dishonest behavior was so obvious (and criminal) that the investigative judge and later the appeal court judges who are supposed to control the work of the police and of the prosecutor's, **should have also pointed out the problems**, and they should have also understood my complaints concerning the legal aid system, and against the lawyer designated to help me who withdrew and the lawyer's association that refused to designate another one [again everyone the official reports on the legal aid system confirm the type of problems I raised in my various complaints, so my complaints are not frivolous]. But unfortunately for me, it did not happen as I mentioned it in my 6-30-14 letter ([exh. 11](#)) and as the appeal court 7-16-14 decision ([exh. 29](#)) show. The appeal judges wrote, for example, that **(a) the lack of investigation** from the police and **(b) the prosecutor full of lies order** ([exh. 44](#)) forcing me to meet the judge (on the ground that I did not present facts precise enough to support my criminal complaint and that I did not described the damage I suffered nor the link with the criminal offense), did not necessarily mean that the prosecutor would rule against me in his final order (!), that is true, the prosecutor can change his mind [**and he did change his mind on 1-5-15 for few criminal offenses, it seems**, since he asked the investigative judge to investigate 2 criminal offenses (forgery and obstruction to justice) starting on 3-23 2011, not starting on 5-11-87, I could not see his order yet, and I **may** not be able to see it because according to the law I cannot if I do not have a lawyer...], but in the mean time **I lost more than 3 years**, I suffered a very grave additional prejudice, and many proofs were lost surely [because the witness will have forgotten what happened, the bank will have destroyed all the remaining proofs that they had not destroyed already...people involved in the initial fraud may have die since 2011...]. Moreover, I was forced to do **an enormous amount of work** to complain about their lies, and the fact that neither the judges nor the ministry of justice addressed honestly the question of the unconstitutionality of the French legal aid system is still extremely grave for me because - for example - I cannot even see the file if I don't have a lawyer (!) and I must file new pleadings to address this problem [unless the case is resolved by mediation and so far no effort was made by the prosecutor to resolve the case through a mediation although it would have been easy to do it probably, but now it may not be possible anymore].

37. The Cour de Cassation (French Supreme Court) rejected my request ([exh. 28](#)) for an **immediate** review of my appeal (petition [exh. 27](#), decision [exh. 24](#)) and of my QPC ([exh. 26](#), decision [exh. 25](#)) on the legal aid system **on 2-10-14** [supposedly because it was not in the interest of the good administration of justice to review it urgently although at least it is urgent to review the QPC because the illegality of the legal aid law **affects the fairness of the entire proceeding (unless a mediation is started and is successful)** and all the poor proceedings in general], and sent back the file for normal proceeding ; **but on 12-14-14, it did grant me the legal aid for my appeal** (with a specialized lawyer, [exh. 28.2](#)), **meaning that my appeal was strongly motivated** (or well-founded) because the Supreme Court rarely grants the legal aid (in 15% of the cases and **only when you have a serious chance of winning**) or they were trying to annoy me. I called the designated lawyer, but he refused to talk to me and in an email, he wrote that my appeal would only be reviewed when (and if) the file returns to the court for a decision on the merit of the case, and ignored all the problems I was facing, including the legal aid problems that prevented me from having a lawyer in Poitiers and an access to the file **in lower courts** [the legal aid system pays only **380 euros** to this specialized lawyer who probably usually asks 5000 euros or more to his regular client, so he does not want to talk to the poor or try to understand the case and to resolve it]. So on 12-24-14 I complained to the President of the supreme-courts-specialized-lawyer's association ([exh. 28.4](#)) and to the President of the Supreme Court legal aid office, and asked them to designate another lawyer that really wants to help me immediately to eventually find a solution through a mediation (ADR). I argued that I have obvious proofs of criminal wrongdoings and that the Supreme Court **tends to agree with me** because it only grants legal aid when there are strong arguments supporting the appeal, and that a lawyer could really help me in this case [my criminal complaint is now against the CEO of the bank and the board members, and potentially it could send them in jail, **so a mediation is a useful alternative**, the prosecutor office should have recommended it, and probably would have if they had not lied and cheated in the first order].

38. I also explained to the president of this lawyer's association that my QPC was still pending in the Supreme Court, and I asked him **(a)** to admit that he and his colleagues (specialized lawyers) did not do the same work for **380 euros** that they do for their regular clients who pay **5000 euros** or much more (as they pretend to do), and therefore that the legal aid law violates the poor fundamental rights (and I sent him also my QPC and the recent letter I sent to politicians ... to comment the 2 recent parliament reports on this subject) or **(b)** to give a motivated point of view of why not. The President of the lawyer association sent a very short response ([exh. 28.5](#)) saying that *my proceeding was terminated* and therefore that there was no need to designate a lawyer, she did not say which proceeding was terminated or why the proceeding was terminated, and she did not address any of the reasons I gave to justify the designation of another lawyer. She did not address either the issue of the unconstitutionality of the legal aid system and/or the issue of the obligation to have a specialized lawyer in front of the supreme court, or for example why would the supreme court grant me the legal aid if my proceeding was terminated and no lawyer

could be designated ! The civil servants who granted the legal aid are judges, so they knew the situation, and they only grant the aid for very good reasons, when there is a strong chance of winning (!). **Her response is therefore imprecise and very unfair** and forces me to write again and to explain all this to her. You can see again here that the legal aid related problems I had (and have), prevented (s) me from obtaining justice **so far** (during more than 3 years), and have covered the grave wrongdoings of a big French and European bank (nothing unusual according to M. Stiglitz...), and of the administration [I know that nothing that I describe here is unusual for you since you noted it in your discussions, see summary of key messages for thematic debate on 'Ensuring Stable and Peaceful Society' no 9 : ***Many criminal justice systems fall short on protecting human rights and the whole society, especially the most vulnerable***'].

[**38.1** Again the lawyers, **in general**, obtain **several advantages** in exchange for maintaining the dishonest legal aid system (for example they obtain the obligation to have a lawyer in most proceedings, the possibility to train themselves while making money and without any risk, the possibility to have work when they need it and to increase their revenue ; the poor cannot really or easily control the work of their lawyers or complain...); and the few lawyers specialized in the Supreme Courts (**107 about, and just 46 law firms**) obtain the **privilege** of presenting cases in front of the 3 supreme courts (Conseil d'Etat for administrative cases, Cour de Cassation for criminal and civil cases, and the Conseil Constitutionnel for constitutional matter), which constitute a monopoly and an important source of revenue (and 'fame' or recognition). **This privilege is important** because everyone must go through them, in particular the big corporations (or banks, or administrations) like the Crédit Agricole that has **150 000 employees and 49 million customers** and that go often in front of the justice because of their activities (that expose them more than the usual person). The big banks and corporations (and more generally businesses of significant size) have to go through these 46 law firms, so they **give them a big part of their work that is paid at a high price (not 380 euros per mission)**, and this privilege creates an **obvious conflict of interest** that is not in favor of the poor, I am sure that you understand. And for me who has to fight the Credit Agricole and the French administration, it is grave handicap, and even an insurmountable one, **unless** they admit that the legal aid system and the privilege they have are unconstitutional ; or unless the case is resolved through a mediation, but the prosecutor did not launch the mediation process (even though he has recently asked the judge to investigate), and the Crédit Agricole has to agree, but so far all that they have done is creating me problems].

[**38.2** I must make a parenthesis on the recent decision from the prosecutor's office **that I did not see yet**. The clerk told me over the phone that the prosecutor asked the investigative judge to investigate 2 criminal offenses (forgery and obstruction to justice) starting on 3-23 2011, not starting on 5-11-87, but to do that he surely based his argument on the fact **(a)** that the bank first told me in writing on 9-5-11 that they joined the contract to their letter, but they did not do it ; and **(b)** that 6 months after I filed the criminal complaint, they told in writing on 6-13-12 that they had destroyed the documents of the loans, that they had made a mistake and that I did not owe them any money anymore. The prosecutor **had therefore all the necessary information** to investigate the wrongdoings in June 2012 already, and he had also the authority to investigate (like the investigative judge). So here if he had just investigate a little, he could have obtained an admission from the bank that they committed criminal offenses, and resolve the case (or part of the case) through a mediation in 2012 already. For a mediation, the person charged must admit that it committed the offense, and here the bank admitted (in writing) that it committed '**an error**' (most probably because the police did not try to question them on the error they did, and they tried to take advantage of the fact that I did not have a lawyer) ; and the mediation must take place before the prosecution starts, so I am not sure that it can happen when the case is in front of the investigative judge as it is now (all the books and reference papers I read are unclear **to me** on this subject). Here the Bank cannot be sent to jail for the wrongdoings, but the leader and certain employees can be sent to jail for this criminal wrongdoings, so the prosecutor office can easily encourage the managers of the bank to settle the case to avoid possible prosecution (as it surely happened in the US for BNP-Paribas, if the bank accepted to pay **7 billions euros** without going to trial, it is surely because the bank managers did not want to risk prosecution and jail time). The prosecutor's office refusal to investigate and to launch a mediation in 2012 was therefore very prejudicial for me ; especially when you know that now I am in front of the investigative judge without a lawyer, and that this proceeding is very complex, and I loose many rights, like the right to see the file, **without a lawyer** ! So you understand that - even though the prosecutor office **seems** to recognize that there are proofs of potential criminal offenses -, **I am still in a difficult situation** (if they make no effort to push for a mediation or to investigate rapidly), and it could take years again.)]

4) My new criminal complaint on these legal aid matters.

39. Before I conclude on this section on the consequences for the poor of the dishonesty of the legal aid system, I must briefly described the criminal complaint I also filed to denounce the Poitiers legal aid office dishonesty and the problems I encountered with the lawyers since March 2011. After the lawyer's association refused to designate another lawyer in my criminal complaint on December 10 2012 ([exh. 51.2](#)), I filed on 1-3-13 a legal aid application to denounce all the legal aid related problems I had since 2011, but this application was unfairly delayed several months by the legal aid office ; then they took an unfair decision that I appealed, and they again delayed the appeal several months. The AA Court ruled in my favor and asked them to correct their error ([exh. 50.5](#)), but they waited another 6 months to render another unfair decision ([exh. 50.6](#)). I appealed again ([exh. 50.7](#)) and after several months I received another **very unfair** decision ([exh. 50.8](#), if my criminal complaint were frivolous, they would have rejected it already, so if they did not, I deserve the legal aid on this case too), but I did not wait for this last decision to file a criminal complaint **on 7-21-14** ([exh. 9](#)) to denounce the criminal offenses that the legal aid office, the lawyer association and the designated lawyers committed to prevent me from receiving the aid since 2011. The complaint mentions **3 criminal code violations** (offenses) : **harassment** (moral), **breach of trust** (or embezzlement), and **obstruction of justice** ; and supports the QPC since it explains what the legal aid office, the lawyer's bar

association and the lawyers do - **on a day to day basis** - to make the dishonest legal aid system work (despite the very limited funding, in particular for complex cases) and to rob the poor of their chance of obtaining justice. The prosecutor's office did not respond yet, and according to what I was told on 1-12-15, it is still under investigation by the police (they had told me the same in the previous case and nothing was done), but you can make up your own point of view if needed, and at least you can see that it is very difficult for a poor to complain about the legal aid problems he/her faces.

5) Conclusion of this section B (concerning the consequences for the poor of the unconstitutionality of the French legal aid system).

40. The problems of our actual legal aid system have been fairly well known for a long time as you could see above (no 4), and the impact on poverty are fairly obvious if we look at the statistics on poverty between 2001 and 2010 I gave you and more generally at the increase of the inequalities (and at my personal case over the past 17 years), **so we should not look at the response (or absence of response)** to my letters and pleadings on this legal aid system issue from the government and politicians (and to a lesser extent from judges), as a problem for France **only**, but also as an international problem, and also as **a way to understand better the causes of poverty and of some of our international disputes** (Ukraine, Syria,) as we will see below in section C. Moreover here, I did not just talk about the legal aid system problems to the government and the politicians, **I also talked about your work on the post 2015 development agenda** and put the reform of our very imperfect legal aid system in the context of your work. I first wrote to Mrs. Taubira, Justice Minister, and to the senators and representatives **on 3-18-13** to point out these legal aid issues ([exh. 22.1](#)); then I wrote to them again to ask them to comment my ECHR petition on this subject on 4-23-13 ([exh. 20](#)), and at the same time also to Mr. Hollande and Ayrault to talk about the proposals I presented you, to ask for their help to resolve my dispute with the administration, and to ask them to admit that the legal aid system is unfair, and to reform it ([exh. 19](#)), but, apart from a short letter of a (communist) député, M. Chassaigne ([exh. 22.2](#)), who did not comment my remarks, I received no response for these first letters. So I wrote again to Mr. Hollande, Mr. Ayrault, Mrs. Taubira ... in August ([exh. 17](#)) and September 2013 [this letter was also addressed to M. Obama... and the French and US senators and representatives, [exh. 16](#)], but here again I received no response.

41. In 2014, my letters were even more precise since I wrote a (first) formal QPC on the legal aid law ([exh. 32](#)) that I filed in the Appeal Court of Poitiers, and I joined it to my 2-18-14 letters to the senators and representatives ([exh. 14](#)). Even the representative (députée) from my sector who has an office less than 700 yards from my apartment did not reply to any of my letters, and the Senators and Députés did not mention my remarks in their 2014 reports on this subject, obviously. The problems I described are not just **theoretical legal problems**, they are also, for me (and many others), real life problems that are affecting my (their) living conditions very direly [for more than 16 years at least, for me], so their silence shows a lack of compassion (for me and the poor in general), and a lack of respect for the intellectual work that is needed to prepare and write the letters and various related pleadings I sent them. Apart from my 11-17-14 letter ([exh. 0.1](#)), my last attempts were on 4-25-14 ([exh. 13](#)), when I wrote to M. Hollande (M. Valls, Mrs. Taubira, ...) to forward them my QPC, and on 6-30-14 ([exh. 11](#)), when I wrote to them again (and to you) to comment the decision I had obtained on my new QPC, and to remind them of the efforts I was (and am still) making (and the proceeding I started) to resolve the problems I have with the French administration that resulted in the grant of the refugee status in the US, but they again ignored everything I wrote although **(1)** the lawyers went on strike in June and July 2014 to complain about the legal aid system that does not pay them enough [I have discussed this legal aid problem and the comment made about the lawyer's strike in my 6-30-14 letter ([exh. 11](#))], and **(2)** we cannot find an honest solution to the legal aid financing problems without addressing the unconstitutionality of the actual system first, I believe, and as I explained you above.

42. Politicians (government, representatives,) have means to obtain **a rapid** response on the question of whether the legal aid system violates the constitution and the ECHR (or not), since the parliament can seize the '*Conseil Constitutionnel*' in an emergency proceeding and the government can also ask the '*Conseil d'Etat*' for a point of view on the matter, and of course the representatives who vote the laws, **are also experts in this area** (in fact the députés can become lawyers automatically after their terms even when they do not have the proper law degree!), so they have (or should have had) **an official and clear point of view** on the matter [remember that France is an advanced country, so the high level administration officials or judges who work at the 4 highest courts (Cour de Cassation, Conseil d'Etat, Cour des Comptes, and Cour Constitutionnel), at the Défenseur des Droits (Ombudsman), in the government, at the two Assemblies can all give a serious point of view on this subject], so their refusal to respond to my letters and to address the legal aid problems I describe, has grave consequences for the international community and also for me: **(1)** (for the international community) it allows them to maintain a legal aid system that robs the poor **in general** and deprives them of their rights, while at the same time they

gave/give lessons and criticize harshly (and often unfairly) countries like **Syria, Russia, Libya ... for violating human rights and international laws** ; and this behavior demonstrates a form of corruption that has grave consequences for the international community and for the success of our post 2015 development agenda (see part C below) ; and (for me) **(2)** it allows them **(a)** to make it difficult for me to work in general and in particular on my proposals made to the international community, and **(b)** to continue to hurt me and to cause me prejudice, although I am unemployed and the unemployment in France is the number one problem [these problems prevent me from finding a job, and if I had obtained justice in anyone of my cases, I could have immediately come out of unemployment and poverty and I also **could have worked more efficiently on my proposals presented to the international community** (!) and presented you more detailed proposals ...].

43. Then you also have the journalists who I contacted (main television and radio stations, and main newspapers and magazines), and who repeatedly wrote on this subject as you saw it in my 6-30-14 letter ([exh. 11](#), I mentioned their comments on the lawyers strike), they are knowledgeable on these issues, but here obviously they chose to remain silent (instead they talk about the abuses of the system by the poor !). The main newspapers, and TV and Radio stations, are owned or controlled by billionaires or by the government in France, so they criticize the poor (and assume the poor are delinquent like the lawyers do, see [exh. 11](#)) ! Your statements during the 7 different 2014 events show that the problems I mention here are frequent everywhere, in fact my case seems to be even a '*caricature*' of the causes of poverty that you describe. For example, you write : '*laws should be clear and should be consistent with human rights ...*', and we see here that the legal aid law and certain criminal procedural statutes in France **(a)** violate the fundamental rights of the poor, **(b)** cause a significant increase of the number of poor in general, and **(c)** maintained me (and others) **in poverty for more than 16 years** [even, the banking frauds I was victim of is a '*typical fraud*' that causes poverty as Mr. Joseph Stiglitz wrote it in his book in 2012, '*the Price of Inequalities*']. The behavior of rich countries like France have when it comes to resolving international problems, is not so different from the behavior they have when addressing national problems, this is why, among other reasons, it is important to pay a more careful attention to what they do at the national level if we want to have a better participation of rich countries in the global effort you plan to make during the next 15 years. And I will now discuss this subject in section C.

[43.1 Please understand that 'my critics' or remarks are **not partisan critics** aimed at hurting the socialist government that obviously did not help me resolving my different cases although it could have easily done it. They are more general remarks **(1)** pointing out certain serious problems and **(2)** aiming **(a)** at understanding certain complex situations, **(b)** at improving the situation in France (and at trying to obtain justice), and **(c)** at helping the international community resolve its complex problems. To confirm this, I would like to mention that the recently (11-2014) elected new leader of the **main** opposition party (UMP) and former President of France, Mr. Sarkozy, is under **11 criminal investigations** according to the press and media, and this situation raises certain questions : **(1)** Either the persons who elected him **think** that the investigations are not motivated by pertinent and strong evidences of criminal wrongdoings **as they should be**, but just by a political will (from the government) to hurt an important political opponent; and in this case they really think that the justice system is very dishonest (and not independent at all from the politicians in power), but this necessarily implies that Mr. Sarkozy did not do a good work of improving the justice system in France (!) (?) ; or **(2)** they think that it is possible that Mr. Sarkozy committed at least few of these **criminal** wrongdoings, but that they don't really care to have a President and party leader who violated (es) the criminal law, and this also shows that we have serious integrity problems in our French society (!).

43.2 As an example of wrongdoings he is accused of, I would like to mention an election fraud that his 2012 presidential campaign managers and party managers have all admitted (to have committed) : a false invoice fraud, a company charged Mr. Sarkozy's party for some services rendered to his presidential campaign **to allow him to spend more money during his 2012 presidential campaign** (as you know in France the amount of money a presidential candidate can spend in his campaign is limited to 22 million euros, I believe, and with this fraud, Mr. Sarkozy was allowed to spend 10 to 18 million euros more than normal, + 50%, I believe, to be verified). Mr. Sarkozy says that he is a victim of this fraud because he was not informed of it ; it is hard to believe, but it is possible ; and if it is really the case, then he should have admitted at least that he was negligent when he did not pay attention to the amount of money he spent to try to be elected, I believe... The Senator - Mr. Du Luart - who wrote the 2007 report ([exh. 6](#)) on the legal aid system problems, and who recommended **an urgent reform** was from Mr. Sarkozy's party (UMP) and Mr. Sarkozy is a lawyer and started working as a lawyer, so he understands that our legal aid system is not honest at all for the poor and as the President, he could have resolved the problems earlier also. In another fraud, Mr. Sarkozy is accused of having obtained certain documents and information on one of his criminal cases from a Supreme Court prosecutor in exchange of a favor he rendered (or could have rendered) him, in this case he is trying to have the evidences obtained by the police while listening to his phone conversations for another case judged illegal for this different case. This case shows you also how important it is to be informed of what is going on during the proceeding. Lawyers can talk on the phone to the judges and the prosecutors, but a poor without a lawyer and who defends his case alone cannot talk to anyone or even have access to the documents of his own proceeding a lawyer can see !!! (this is unbelievable)].

C The importance of paying a more careful attention to what is going on in rich countries to resolve more efficiently our global problems, in particular to eradicate poverty and to maintain peace.

44. During the past 15 years, I have tried to convince 'you' and others that we needed to pay a **more careful attention** to what is going on in rich countries if we wanted to resolve **more efficiently** our global problems, and in particular to eradicate extreme poverty, and the recent actuality has confirmed again the pertinence of this remark, I believe, so I will summarize the arguments I presented you and give you a new argument which can explain some of the international crisis we have going on now.

1) Summary of the arguments presented in 2005-2006.

a) Identifying critical systemic problems in rich countries and resolving them together would help both rich and poor countries.

45. **My first argument** (supporting the importance of paying a more careful attention to what is going on in rich countries) **was linked to the proposal to create a new internet IO** to, among other reasons, develop global computer applications that can be used by all the countries in the world. Poor countries cannot develop complicated worldwide computer applications that can be used by all the administrations in the world (most of the time they do not have the money and experience necessary to develop these advanced systems), and more often than not, their administrations do not have the advanced administrative systems that rich countries have (whether it is in the justice area, or other areas), so it makes sense to look at what rich countries are doing to identify their weaknesses, and to build up on what they have already achieved to (when possible) develop '*together*' better policies and systems that can be used by other countries as I proposed to do it in 1997 with the design of a global computer system to transfer and to integrate more efficiently the statistical data used by international organizations [see Inco-Copernicus proposal at [exh. 23.1](#), and the EU evaluation and letters of interest at [exh. 23.2](#), [exh. 23.3](#)], and as I propose to do it now with the legal aid system, among others. The cost of developing new computer systems and then of maintaining them is significant, so it makes sense to try to share this type of cost **when it is possible** and to develop common global applications that can be used by as many country as possible. Moreover, we can even imagine that the transfer of technology resulting from such cooperation could be used to fulfill **a part** of the ODA obligations rich countries have [poor countries needs all the help they can get during the next 15 years, ODA, transfer of technologies and knowledge, etc., so we need to be creative to bring them this help and to make sure that rich countries fulfill their (ODA,) engagement one way or the other].

b) Only rich countries can launch certain important global reforms and they are closer to an efficient advanced modern society than poor countries.

46. **Another argument I gave you** over the years was that rich countries are the only countries capable of making or launching certain important **global reforms** like searching for and designing a new economic system or changing the Internet governance, so we need to look closely at what they do **to justify these important global reforms** and to encourage them to launch them for every countries' benefits, **including poor countries' benefits**. In my 5-6-14 letter ([exh. 12](#)), I mentioned that the US had decided to relinquish the special relationship it had with ICANN to allow for a new form of Internet governance, and that this was a necessary step to move forward on this subject, even if there seems to be conditions attached to their decision. No other country could have done it for them, even if we now need to find the right solution with all the other countries. Similarly, if we decided to develop a new economic system, **rich countries** - whose economies represent an **important** part of the world economy -, would need to play a leading role together with the UN and in association with all the other countries, because it is important to build on what we have already achieved and therefore to look at the best we have done to find the best we can do [The recent economic crisis in the US and Europe, the unemployment problem in Greece, Spain, France ..., the obvious **increase of the inequalities** including in rich countries (inequalities that were already high before because of the economic system we use since more than 200 years, perhaps), our post 2015 development goals and targets, your analysis of the situation (underlining that the inequalities were a root cause of conflict and violence...), and my remark concerning the fact that our actual economic system violates human right (article 3 of the ECHR), **are all good reasons to search for the alternative to market capitalism...**].

47. I also mentioned the fact that we were closer to set up a '*perfect*' (more efficient,) **advanced modern** society in rich countries (even if still far away), than we are in poor countries, and therefore that we must make special efforts to help rich countries develop this '*more efficient*' (and honest) society to make it easier for the international community to convince countries with dictatorship or other form of society or government that are **not** widely accepted by the people to adopt '*our new efficient form of society*'. We often see conflicts arise because the people (or a part of the people) are not satisfied with their government or their form of society (Syria, Libya,), and this is

very sad. But if we **cannot** convince a very large majority of a population that we have found a much better form of society than what they have and what make them unhappy, it is because 'our' (rich countries') form of society ('our' rich country's democracy ...) is **very far** from being perfect and unquestionable. And it is true and obvious when you see : **(1)** the economic problems we have had in the US and in Europe for quite sometimes, and that have been highlighted by the recent economic crisis in the US and Europe [supreme crisis, euro crisis, banking crisis,], the unemployment problem in Greece, Spain, France ..., the obvious **increase of the inequalities** ... ; **(2)** the justice problems we have in the US and in France [a justice system that violates the rights of a significant part of the society, and particularly the most vulnerable, dysfunctional Supreme Courts in the US and high court in France too that works with 'specialized' or 'favorite' lawyers ..., summary decision, immunity for judges and prosecutors...]; and **(3)** even the political problems we have in the US and in France [for example in the US, the political blockage we see when the President is on one side and congress on the other side, or simply when the house and senate are controlled by different parties, or because of the filibuster when a party does not have the 60 votes in the senate, or finally the importance of money in the different elections or institutionalized corruption as M. Gore calls it in his 2008 book]. Rich countries like France and the US definitely need the help and encouragement of poor countries to reform themselves in these areas.

[48. Since I focused on the justice area at the beginning of this letter I will make a related remark here. In my 2010 letter ([exh. 23.9](#)), I described you some problems of the US Supreme Court (for example the fact that they render only about 80 opinions a year out of 8000 petitions in 2010), and recently an article of Thomson-Reuters explained that **out of the 17 000 lawyers** who filed petitions at the Supreme Court between 2004 and 2012, **66** have obtained an average of **6 times more petitions reviewed by the court** than all the other lawyers, and that a majority of these 66 lawyers had worked with the justices (or at the solicitor general office) in the past or socialized with them ; and this confirms that there is no equal justice in the US, and that the US justice system is very corrupt, I believe. And you know the result as well as I do, a significant increase of the inequalities in the US, innocent people waiting on death row... **The worst problem in all this is that no politician, and no judge see any real problem with the situation** (the article mentions that the justices who commented it thought this was not a problem ; **Mr. Holder recognizes that the legal aid system is bad for the poor suspect or criminals**, [exh. 8.2](#), but he does not see the problem for 'civil' cases or the problems linked to the way the Supreme Courts work ...), and, no one (no politician or judge) says we have serious justice problems and we must reform our system. And in France it is very much the same as we saw it above (**46 law firms, 106 lawyers, only** can intervene in front of the Supreme Court !), and again France has sent **1,4 million persons into poverty between 2001 and 2010** while at the same time the fortune of its richest citizens has doubled (its billionaires like Mrs. Bettancourt, M. Arnault, et M. Pinault, for example), and you know that in the US, the inequalities have increased in an even greater fashion (and continue do so), **so we are still very far from an efficient and honest form of society**. You, in particular poor countries – LCDs and G77 countries - **must encourage** France and the US to reform their justice systems (in front of the UN) as I propose it to do (so that 'you' can benefit from their reforms **and improve their behavior at the international level**)].

c) Global warming was caused mainly by the economic activities of rich countries.

49. Finally, the **last argument** I gave you was linked to the global warming problem we have. It has become obvious over the years that rich countries have put an enormous amount of CO2 (and other greenhouse gases) in the atmosphere to allow their economies to grow (and to allow their population to live better), and without thinking that, at the same time, it would make it much more difficult for poor countries to develop rapidly their very weak economies and to take their people out of poverty. And it is also obvious that as they were learning about the gravity of the global warming phenomenon, rich countries have significantly decreased their level of ODA consciously or unconsciously to slow down economic growth in poor countries and to (try to) avoid that the situation become even worse than it was (and is today) (with a **minimum** of effort on their part). So now that we want to eradicate extreme poverty, it is extremely important **that we pay a more careful attention** to what is going on in rich countries to make sure that not only we do not see during the next 15 years the same type of behavior (from rich countries) than the one we saw starting in the 80 and up to now, but also that we encourage rich countries to correct their error and/or to compensate the prejudice they have caused. And to do that 'we' (the international community) need to be **'picky'** with rich countries and refuse to tolerate the slightest behavior or trend of behaviors that demonstrates a lack of respect for the poor and poor countries [the refusal to develop an honest legal aid system, the increase of inequalities and the increase of the number of people living under the poverty level we saw in France and other rich countries are examples of trends that the international community should not tolerate, especially when - at the same time – it is engaging on a global effort to reduce poverty significantly and to decrease inequalities...].

2) The many advantages of being a rich country and/or much richer than other countries and the graves consequences it leads to.

50. There is another argument that I never mentioned, perhaps because it may seem '*an unspeakable argument*' or at the very least, a not very diplomatic one, but it must be discussed if we want to address **all the root causes of violence and conflict**, as you stated we need to do (and I agree). **There are many advantages to being**

a rich country and/or to being much richer (or simply richer) than the other countries ; and countries (including rich countries) **act in accordance with their own interest**, which implicitly is, for rich countries, - **to stay richer** (or even much richer) than the other countries -; **and this fact** (this truth) **makes it difficult** (or very difficult) **to reach our objective to fasten convergence and to decrease poverty significantly**. There are basically two ways rich countries can stay richer than other countries : **one is to have** a level of growth that is higher (or much higher) than poorer countries, and **another one is to destabilize** poorer countries (to encourage conflicts, revolutions, protests,) because it results most of the time **(1)** in very significant decrease of economic activities [see Mr. Jarmo Viinanan April 24 statement : '*The average cost of civil war equals more than 30 years of lost GDP growth*'], **(2)** in an increase of poverty levels [see Mr. Ban Ki-moon's statement of April 24th : '*Countries with major violence have poverty rates more than 20 per cent higher than average*'] or sometimes even worth **(3)** in huge levels of destruction of assets and productive capacity, as we saw it happened in many countries in the middle east (Libya, Syria, or more recently in Gaza). Given that many rich countries have had great difficulties in maintaining a high level of economic growth these past many years [and that even the opposite has happened, many went into recession or had a zero growth as it is the case now for France], the temptation to destabilize poorer (more vulnerable) countries is great (for rich countries) ; and it is easier to do it these days in our information society with high capacities to manipulate the public opinions. Moreover, it has also other side effects that can be useful for some rich countries leaders in difficult times [destabilizing a foreign country can help decrease the consequences of certain national problems...].

[**50.1** Rich countries like the US can lie in front of the UN Security Council, start an illegal war, and invade a country without the authorization of the UN and in violation of International laws (like the US did in Iraq) **without being sanctioned** , while a poorer country like Russia is **heavily sanctioned** for annexing a neighboring province, Crimea, whose inhabitants are in majority Russian speaking and agreed to join Russia through a vote (!) ... on the ground that they have violated international laws, but without any formal resolution from the UN (Security Council or General Assembly). The US can also organize a network of torture center and arrest people without judgment again in violation of International laws, and appears to be a great democracy and a great example for having admitted publicly the atrocity of its torture, while a poorer country like Russia appears to be one of the worst dictatorships in the world (and its leader, Mr. Putin, is compared to Hitler) for having offered 15 billions dollars loan and cooperation proposal to its neighboring country, Ukraine, that has been turned down **in a very undemocratic way** (!) to say the least (and although Russia has joined the ECHR ; I don't think that Mr. Hitler would have joined the ECHR if it had existed... ! Even France hesitated several years before joining the ECHR (it seems) to avoid potential prosecutions for its torture in Algeria, and to avoid giving rights to the people living in its African colonies !). Finally a rich country like the US can order an embargo on a country and pass a law to make illegal any transaction (with the country under embargo) made by companies around the world, which is indirectly a form of protectionism, and then heavily sanction the companies that violated the embargo, even when their countries of origin had not passed a similar law, as we saw it with the sanction on BNP Paribas (!), so you see it is very important to be richer than other ! (the Russian people who have already lost or who will lose their jobs or become poor because of the sanctions, understand well what I am explaining here, I am sure !)].

51. This cause of poverty and conflict was never publicly discussed – **it seems** (even if some of you do not hesitate to talk about the **double standard** that some rich countries impose on other weaker countries) -, perhaps because it is insulting for rich countries and - as diplomats - you probably spent a lot of time and effort trying to avoid insulting comments or debates against other countries (especially rich countries), but if we want to eradicate poverty, we need to address **all the root causes** of conflicts and violence (which indirectly also causes of poverty) **as you underlined it in your statements**, even **the unspeakable ones**. In my 6-14-06 letter ([exh. 23.5](#)), I wrote that you can be sure that as long as there is one homeless in France or the US, **you will not have a full commitment of the US or France in the fight against poverty around the world**, and we have seen - since then - that many new poor (people living under the poverty level of their countries) have been added in the US and in France, and that more generally inequalities have increased significantly as Mr. Ban Ki-moon underlined it in his statements and reports , and that France and the US do more (or as much) to create poverty (like the sanction against Russia that will create poverty and that affect our effort to develop a good post 2015 development agenda..., and maintaining an unconstitutional legal aid system creates poverty also...) than to fight poverty. And - again apart from China's (which has - **fortunately** - avoided - so far - the kind of destabilization we have seen in Syria, Libya,, and in several countries of Africa Mali, Central Africa,, or more recently in Ukraine) where the results on poverty reduction were significant, the world has had overall '*poor results*' on poverty reduction since Mr. Ban Ki-moon July 2013 report mentioned that **there would still be 1,5 billion people living in extreme poverty in 2015** (and we had probably about 1,2 billion living in extreme poverty in 2000, I am not 100% sure of this number, so please verify it). I will now give you two recent examples that will show you how **this cause** of conflict and violence (and poverty) works.

3) Who should be held accountable for the rise of ISIS in Syria and Iraq (and for the chaos in Libya) ?

a) The significant number of (Islamic) extremists in Syria and the wide support they have among the population.

52. The first example is Syria, as soon as the violent protests **started in 2011**, the Syrian government and some of its (international) '*supporters*' like Russia noted the presence **on the rebel side of a significant**

number of (Islamic) extremists which they called terrorists (like AL-Qaeda), and countries like France, other European countries, and the US rejected this argument. Instead they argued that the rebels wanted democracy and respected human right, and they organized '*big meetings (in Paris,) of the friends of the Syrian people*' where the Syrian rebels were the guests of honor, and in which they demanded the departure of Mr. Bashar el Assad, '*the so-called barbaric leader who kills his own people*'. Even in 2013 when there were talks of bombing Mr. Bashar el-Assad because of his possible use of chemical weapons, this difference in point of view (on the presence of jihadists in Syria) was an important (if not the most important) reason of disagreement between Russia and the US. **History has proved the US, France,** and the other European countries **wrong**, with the rise of ISIS, there can be no doubt that there were in 2011 and there are still now Islamic extremists fighting against the Syrian Government of Mr. Bashar el-Assad. In fact we can now even say that these Islamic fighters (rebels) were the most active rebels in Syria since they now control not only one third of Syria [a 12-15-14 article from the new York times, explains that two military bases fell to the Nusra Front, a group link to al Qaeda using US antitank missiles captured from moderate anti-government fighters backed by the US ! ...], but also a significant part of Iraq. And what is happening (and has happened) in Syria (the rise of the Islamic extremists) is (was) not (at all) so surprising (or unexpected) because the same thing happened in Afghanistan where the US supported Islamic extremists like Mr. Bin Laden (and more recently very much the same thing happened in Libya).

53. After the recent military victories of the Islamic State (or ISIS) and the execution of the first US journalist, two main contenders of the next presidential election in the US and in France (Mrs. Clinton, and Mr. Hollande who had a say in the decision to support the Syrian rebels, an important part of which were Islamic extremists, we now know) made public statements saying that the reasons why ISIS (or the Islamic State) became so powerful was **because M. Obama and/or the international community did not order military strikes against the Syrian Government** and did not support militarily the Syrian rebels (!). With these statements, **they put the responsibility** of the rise of IS (or ISIS) on others (than them) and more importantly **on the fact** that the international community did not overthrow the Syrian government like they did in Libya and Afghanistan [although we now know that in Libya, it is the chaos and that killing Mr. Kaddafi did not prevent the Islamic extremists from controlling also significant parts of Libya ; the Niger is **now** asking for a new military intervention to resolve the problems created by the first military intervention that killed Mr. Kaddafi !], ignoring by the same talking **(1) that they wrongly evaluated the situation** and the consequences of the violent protest in Syria, and **(2) that Mr. Bashar el-Assad and Mr. Putin ...** who have explained all along that they (Syria) were (was) fighting very dangerous Islamic extremists who had no interest in democracy and no respect for human rights, **were right**. There will probably never be any debate or any investigation (UN or other) on this issue [of what caused the rise of ISIS (or IS)], but we can easily give another and more plausible explanation than the one given by Mr. Hollande and Mrs. Clinton which seems very much driven by the fact that they want to look good in front of their public opinion to keep a better chance at being elected president in the next election.

b) A more probable explanation of what happened.

54. For example, it seems much more plausible that a significant number of Islamic extremists were in Syria at the beginning of the rebellion in 2011 along the so called '**good**' rebels [Islamic extremism is very strong in the entire middle east region, (and Syria is predominantly Muslim, I believe), and soon after the rebellion started, I recall reading the Economist or ... that listed in their magazine the various groups composing the rebellion, and most had the word '*Islamic*' in their title and several were clearly identified as extremists groups] as Mr. Putin and Mr. Bashar el-Assad explained it, and that when the US, France and other rich countries supported **the rebels in general** and the violent protest against the Syrian government (and organized big meetings of *the Friends of the Syrian people*), they facilitated the development of ISIS and strengthened ISIS (**and even encouraged the young French and European jihadists to join them**), exactly as it happened in Afghanistan with the Taliban and Al-Qaeda (including Mr. Bin Laden) that were financed by the US to fight against the Russian supported government. One thing that is unquestionable, is that to encourage the rebels to fight against Bashar el-Assad has destroyed the entire country (Syria) and has condemned (most of) the Syrian people to poverty and to suffering (exile, violence,) for the next 30 years or more [and everyone knew it would be **that way from the start** ; again see Mr. Jarmo Viinanen April 24 statement : '*The average cost of civil war equals more than 30 years of lost GDP growth*', and Mr. Ban Ki-moon's statement of April 24th : '*Countries with major violence have poverty rates more than 20 per cent higher than average*'), **so they had to know**]. To be completely honest, rich countries like the US, France,..., were probably not the only countries giving support to the rebels and benefiting from the war in Syria, regional powers like the monarchies of the golf may have also seen the war in Syria as a way to weaken Syria for a very long time and also Iran, its neighbor and supporter.

55. Officially, the support of the rebels was for the good of the Syrian people, this is why rich countries organized and called these big meetings, the meeting *of the friends of the Syrian people*, but - again - the reality is that those who supported the rebellion knew that the war would destroy the country's economy and assets, and would make the Syrian people suffer for a very long time. And they also knew that we have in our recent history examples of countries who succeeded in replacing dictatorship by a democracy **without making a revolution and destroying everything** like in Chile for example (or Brazil, Argentina, South Africa,). I am not against *accountability (on the contrary)*, and I do not support the killing of innocent civilians, since obviously I make proposals to improve the justice systems (everywhere) and the governments' and judges' accountability, but the destruction of an entire country is not *accountability* and I still think that **we should question (more strongly) the real motivations of rich countries** (France...) when they plan a military intervention like they did in Libya or organize the support of protesters and rebels like they did in Afghanistan in the 80s, and they did recently in Libya, Syria and Ukraine. **It happens regularly (1) that our politicians make mistakes** in their evaluation of an international crisis or situation, **just like they do also when trying to resolve certain national problems**, or **(2) that they act** (as part of a communication plan) to manipulate their public opinion or to try **to improve their rating** or to minimize the consequences of their (national) failures or finally **(3) that they act** in the name of national interests (like staying much richer than other countries,) **that are in direct conflict** (a) with the interest of the country they pretend they want to help or (b) with the international community's interest.

56. Mr. Hollande has had between **13% to 20% approval rating for the past many months**, this means that **more often than not, more than 80%** of the people think that he is not doing a good job (**the worst approval rating for a president in 50 years**), and at the last (European) election, his party made **less than 14 % of the votes**, the worst score for his party since its creation (!), so when he and his ministers say that Mr. Bashar el-Assad is a criminal and should be ousted, it is a way of saying '*I have not resolved our French problems, but I am not such a bad leader in comparison to Mr. Bashar el-Assad who kills his own people !*', or when they say '*the Syrian people have the right to justice*', and they try to send the Syrian President in front of the International court, it is a way of saying to the French people '*here in France you have a good justice system and everyone has the right to justice*', although it is obvious that it is **not** true, at least for a very large number of French people who are poor and are not connected to a politician who accept to intervene for them... Moreover, the conflicts in Syria and Ukraine that are discussed every day by the press and media, indirectly minimize the consequences **(a)** of the obvious increase of inequalities, of the number of poor and of the number of unemployed that we see in France (Greece, Spain,), and **(b)** of other various (political and corruption) scandals or injustices [again some countries that were in the same or similar situation have succeeded in reforming themselves without so much violence (without a revolution and/or bombing that destroyed the entire country), this was the case for example in Chili, in Argentina and in Brazil, I believe ; three countries that are now headed by courageous women (including some who were victims of the dictatorship themselves)]. So every time protesters are violently protesting or are planning a revolution, '*we*' should **(a)** be very cautious, **(b)** question their ability to implement an honest democracy and to respect human rights, and **question 'our' motivations** (rich countries' motivations), and **(c)** think more carefully about the consequences of our involvement and remind the protesters to think more carefully about the consequences of violent protests [again, Mr. Jarmo Viinanen's statement : '*The average cost of civil war equals more than 30 years of lost GDP growth*'].

4) Who is responsible for the Ukrainian crisis (or conflict) and who benefits from it ?

a) A questionable violent protest.

57. Similarly, the Europeans and the Americans' response to '*the Maidan protest*' (and subsequent events) was and is still very questionable, especially **the sanctions** against Russia that the US and Europe took as soon as Mr. Yanukovych was removed from his job and Crimea asked for its reattachment to Russia [they can be viewed by some (even among you) as **an incitement to violence**, and an effort to create graver problems in Ukraine and Russia (and serious problems took place and **worse time may be coming** because the early positions taken by the European and the US encouraged the Maidan protesters to behave in a way that France (for example) would not allow)]. In Ukraine, some protesters were unhappy with Mr. Yanukovych, **the democratically elected President**, mainly because he rejected an association agreement with the EU, and chose instead to cooperate more closely with Russia (he accepted a **15 billions dollars loan and aid package from Russia**, it seems, instead of a much lower loan with conditions from Europe and the IMF), and they decided to protest **violently** to express their preference for the EU association agreement and to have Mr. Yanukovych removed (before the end of his term as president), **which was very questionable** (to me and to others surely also). It can happen in democracy that a president is unpopular and takes a decision that the people do not like, but it is not a reason to do a revolution (civil war, or to camp in public places and to storm public buildings), and opposing Europe to Russia (as France, Europe and the US have done) was not a valid ground to violently protest, either. Again Mr. Hollande has had a very low approval rating, even as low as **a 13%** of favorable opinion, the worst score in more than 50 years for a president, but you do not see the people camping in Place de la Concorde and fighting to enter the Ministry of

Finance... [France (including the government, French politicians,) **does not encourage this behavior** and does not react to well to (or tolerate) such **violent** protests, **on the contrary**, recently we had a violent protest (a man even died after receiving a grenade from the police) and several members of the government (including the Prime Minister) explained that **France could not tolerate such violent protest** in democracy although it was not even close to the protest they had in Maïdan ; and in the US several policemen killed black men, even kids for no real reasons without being prosecuted, so the killing of protesters in Maïdan is not good, but unfortunately it happens also in rich countries like France and the US], so France and the US should not have encouraged such violent protest.

58. Moreover, to me it was a grave political fault to oppose Europe and Russia (especially during 2014 and 2015, years during which we must all work together to prepare a common strategy to achieve our post 2015 development goals), Russia is surely not perfect, but Europe also is **very far from being perfect** with its 25% unemployment in Spain, the recent grave economic crisis in Greece, the problems of the Euro Zone, the 1,4 million new poor in France between 2001 and 2010.... [again the last European election that saw **the Front National**, extreme right party against Europe, **become the number one party in France** ; and **UKIP in England** doing the same, shows also that quite few people have serious doubt about Europe, even if it is not at all my point of view, and I think the Euro is good for everybody as well as Europe, **even if we still need to resolve some serious problems**, obviously, including the one that caused the grave crisis in Greece and some other countries]. The choice of a cooperation package with another country is a political issue, so of course the Ukrainians have the right to prefer a cooperation with Europe over a cooperation with Russia, but here they could have easily expressed their preference **democratically** through a vote. Mr. Yanukovich had another year to go as President, so the opposition (and the 'Maidan protesters') could have **easily** waited another year and use the issue of the rejection of the EU association agreement as ground to try to oust him '**fair and square**' in an election (instead of through an illegal and undemocratic protest). If they did not do that, it is because they were not sure to win fairly an election on this issue [similarly after Crimea decided to organize a vote for its independence, **Ukraine (Kiev) should have supported the vote**, they had what they wanted and a vote in Crimea and Donetsk... was a way to avoid a violent conflict and to give the Russian speaking people a chance to choose what they wanted ; if Scotland can vote for its independence so can Crimea...]. Finally, it is important to keep good relation with your neighboring countries (France and Germany knows that), and when Russia offered a **15 billions dollars loans** (much bigger than the loan offered by Europe, it seems, and even the one with condition from the IMF) and an aid package, **it was not a declaration of war**, it was an offer to help a neighbor and also to benefit from a cooperation agreement with an important partner, so the reaction of the Maidan Protesters was to me **at least gravely exaggerated**.

b) The presumed high-level corruption was not a ground for a revolution either.

59. The fact that Ukraine has a corruption problem was not a reason either to make a revolution (and to oust the President), France and the US **are very corrupt countries also**, but, like Mr. Al Gore wrote it in his 2008 book, in the US (and for me in France), the corruption is **institutionalized** – meaning the institution and the laws legalize corruption – '**robbing the poor from the little they have**' (as Mr. Wolfensohn defined it) - [the legal aid system and criminal procedure problems I described you above, in my letters and in the QPC, are good example of that, they show that our laws are designed to rob the poor and to give more money to the rich, and **so is our economic system, market capitalism, and the increase in the fortunes of Mrs. Bettencourt, Mr. Arnault and some other billionaires in France and the US are proofs of that too !**] ; so to properly measure the level of corruption in the US and France, we must look at various elements including the statistics (I gave you) presenting the increase of the number of poor between 2000 and 2013 while the fortune of the richest Frenchmen and women has doubled, and more generally at the worldwide increase of inequalities (and for some countries the lack of significant efforts to decrease greenhouse gases emissions) because they are proofs of an '**institutionalized corruption**' and of a high level of corruption in France and in the US ... ! It is not very surprising to see that the new (Pro Europe) Ukrainian President is **a billionaire supported by a former boxing champion** (now Kiev's mayor, I believe) when you know that, in France and in the US, we give everything to the billionaires and to the sport's stars [as explained it in my 12-20-13 letter ([exh. 15](#)), in France 5 soccer players make more money in one year than what the richest minister (by far) has accumulated in his entire successful politician life; and the richest billionaires have doubled their (already huge) fortune in the last 10 years ! See also Fitoussi, '*le théorème du lampadaire*', p. 97 : aux USA '*le top 1% a accaparé, sur la période 1976-2007, 58% de la croissance générale des revenus, et, sur la période 2002-2007, 65%. Ce pourcentage monte même à 93% pour les années immédiatement après crise (2009-2010)*' !].

60. The Maïdan protesters, the opposition to Mr. Yanukovich, Europe, and the US **clearly have a very (the most) important (part of) responsibility in the unrest and the events** that followed the unjustified **violent** Maidan protest (like the vote in Crimea, the revolt and votes in Donetsk and Lugansk regions). And the economic sanctions against Russia that put all the responsibility on Russia for what happened are very practical for the US and Europe, **but not at all honest and not legitimate**, on the contrary, they are a form of manipulation of the public opinion in addition to being an effort to destroy the Russian economy, to hurt Mr. Putin, and to diminish our chance to achieve a good post 2015 development agenda ! The sanctions **exonerate the US and Europe (and the Maïdan protesters) from any fault in the crisis in front of their public opinion** although they have the most important part of the responsibility in the crisis, they encourage the government of Kiev **to fight the**

rebels in the east (and to hurt Ukraine), and at the same time they hurt the Russian economy (and the Russian people) and weaken Russia that has opposed the military actions against Mr. Bashar el-Assad and **that was right** (as we now know) when it comes to the danger of supporting the rebels because many of them were Islamic extremists ! And as always the consequences for many Ukrainian people will be poverty and many years of suffering (not for the President billionaire, and his supporter former boxing champion). Many Russian speaking people live in the east of Ukraine and in Crimea, so it is not surprising that they did not react so well to the Maidan protest and to the undemocratic departure of Mr. Yanukovich, and if Scotland can vote for its independence from the UK, they should be (have been) allowed to do so also. The form of the elections for independence (in Crimea, Donetsk,) could have been better, but after what happened in Maidan, they did not have the choice, and it was acceptable (they had no other way to do it after what had happened in Kiev). Even the elections in Ukraine are questionable **now** because of the influence of the US and Europe ; Ukraine is entirely dependent on the US and Europe financial aid [Europe has recently proposed a new MFA of 1,8 billions euros and the aid could total **11 billions euros**, while the IMF is preparing a **17 billions dollars aid plan**, and Mr. George Soros thinks that a **50 billions dollars** assistance is needed ! The US and Europe (and the Maidan protesters) **created a problem**, and now 'we' (rich countries) must pay to correct the error we made, although **we do not even meet our ODA obligations**, 'we' may have to stop aiding Greece and let it exit the Euro zone..., and **we have a hard time finding the money** to fight global warming and the post 2015 agenda (ODA,) ..., and to **pay for an efficient legal aid system obviously, so the sanction must end immediately**].

61. Has any country sanctioned the US for invading Iraq in 2003 after using lies in front of the UN Security Council and without a resolution approving the intervention ? Has anyone sanctioned the US for the torture of the CIA ? **No of course not**, although these actions constituted obvious violations of international laws. The US and Europe sanctions Russia on the ground that it has violated international laws, but **first** this is a very questionable assumption in the context of the unjustified Maidan protest and of the referendum that took place in Crimea (**not a single shot was fired in Crimea and there is no report of torture unlike in Iraq, and it is not very difficult to understand why the population there would want to join Russia in such circumstances and in the historical context**) and in the 2 eastern regions wanting their independence (even if the referendum form is questionable), and nothing that Russia has done, amounts in term of gravity to what the US did in Iraq and some other places ! **More than 11 years after the invasion of Iraq** by the US that killed hundreds of thousands of people, **the country is still in total chaos** and in a situation much worse than what it was under Mr. Saddam Hussein [there are extremists who enslave and rape women on a large scale, who exterminate large numbers of their opponents who refuse to become Muslim, and who cut the heads of foreign journalists and visitors and of soldiers for propaganda !]. Even Saddam Hussein who did not like the US, would not cut the head of US journalists for propaganda and certainly not recruit young Frenchmen and women to go fight with him. **The US and Europe must end the sanction against Russia urgently**, they are illegitimate and outrageous (not at all honestly motivated...), the publication of the report on the US torture make them even worse, and we should be working on our post 2015 development agenda and on improving the lives of people and our society, not on destroying the Russian and Ukrainian's economy and sending more people into poverty.

[**61.1** In a recent interview, M. Obama explained that the sanctions against Russia are working because (the article states) '*3 or 4 months ago everyone in Washington was convinced that Mr. Putin was a genius and that with harassment and strategy he had succeeded in increase Russia's power ... and now except in Russia, people think that Mr. Putin was not so bright ... The sanctions have rendered the Russian economy vulnerable and created them enormous difficulties*'; but Mr. Obama should not **just** look at what the people think in Washington to evaluate the well-founded of his policies **affecting another country and the rest of the world** (I am sure that there are many people around the world who have a different point of view on what Mr. Putin did in Crimea...), and even though Mr. Obama opposed the 2003 Iraq war, **he cannot ignore the consequences** of the war and should **not** forget to add in his interview what a '*disastrous job*' the US did in Iraq (**killling hundreds of thousands of people, organizing torture centers, destroying the country, and plunging the country into the chaos that it is now more than 10 years the illegal and unauthorized by the UN war...**) ! Again Russia was not harassing Ukraine when it offered a 15 billions dollars loan and cooperation agreement to Ukraine ; Russia did not organize or support the Maidan protest that plunged the country into civil war, and the fact that there are many Russian speaking people in Eastern Ukraine and **that Mr. Yanukovich was elected with more than 50 % of the votes** was not due to Mr. Putin's personal intervention. And obviously after destroying Iraq based on lies, the US and Europe are hurting Russia and Ukraine to remain much richer than Russia and Ukraine and to cover up their grave faults in Iraq and Syria, so '**you**' collectively should be very concerned by that.]

5) Conclusion on section C [on the importance of paying a more careful attention on what is going on in rich countries].

62. There are several pertinent arguments that justify that we pay a more careful attention to what is going on in rich countries **if we want to resolve our global problems more efficiently**. I pointed them out to you in 2005 and 2006 and later, and I just summarized them again here [rich countries can more easily develop advance administrative systems and the global computer applications to support them that can be used by all the administrations around the world; only rich countries can launch certain important global reforms, like the search and development of the alternative to market capitalism, rich countries are closer to develop **a more efficient, modern** and advanced **society** than poor countries are ; and rich countries remain the main greenhouse gases polluters, **so we** Page 23 of 38 1/19/2015 03:07:11 PM File name: letunga-7-19-1-15-2.doc

must pay a more careful attention to their behavior in this climate subject matter...]. To the various arguments I mentioned over the years, I added the fact that it presents many advantages to be a rich country and/or to be richer than the other countries, and therefore that rich countries (that often act in their own interest) have the tendency to create problems in poorer or weaker countries **out of nothing** to prevent them from getting rich (or richer) and/or to minimize the problems they have at home or the consequences of certain situations they face. And such behavior slows down our effort to eradicate poverty and to resolve our other global problems, so we must tackle this **grave contradiction** [the fact that rich countries have an obvious interest in staying richer, if not much richer, than poor countries, is in contradiction with rich countries, or at least the UN (including rich countries), pretended (or advertised) will to eradicate extreme poverty (your top priority) and to facilitate convergence]. The only ways to overcome **this very serious contradiction** are, I believe, (1) to explain to rich countries that this contradiction is a real problem and that the pursuit of their interest in staying (much) richer than other countries can severely impair their judgment when it comes to addressing certain international issues, (2) to ask them take into consideration this contradiction (when they design their foreign policies) and to think carefully about the consequences before encouraging protests or civil wars in weaker countries, and more generally (for the international community) (3) **to pay a more careful attention to what is going on in rich countries** [we need a sort of 'reverse' double standard, instead of the US and Europe picking on poor and emerging countries, **poor and emerging countries need to look closely at what is going on in rich country and need to be very 'picky' on the US and Europe**].

63. In his synthesis report (exh. 10.1, no 111) M. Ban writes this : 'South-south cooperation, and the significant efforts of solidarity by emerging countries is encouraging. More countries will need to commit to increasing their contribution...', and he is right, **we need the help of emerging countries to finance our post development agenda**, but if the US and Europe destroy the Russian economy with their sanctions, it will be very difficult to obtain aid from Russia, and more people will be plunged into poverty (which is not good for the post 2015 development agenda). **You have worked hard almost 4 years to prepare a coherent post 2015 development agenda**, and the US, France and Europe that participate in your effort **at the UN**, at the same time launch obvious actions (like the sanctions on Russia, encouraging the Maïdan protest, ...) that will make it much harder to reach our goals even before the 15 years effort has started ; and at the same time at the national (government and parliament) levels they have not made any significant effort to think about what they (could and) should do to make sure that the agenda is a success and what global reforms they should launch ! Intellectually speaking we can find many arguments (and advantages) that encourage rich countries to help poor countries to come out of poverty and to reach their level of wealth rapidly, but **an effort to change the mentality and habits is still needed obviously to make significant progress on this subject**. In one of his statements (4-24-14) made on behalf of least developed countries (LCD), Mr. Zinsou mentioned that '*the outbreak of violent conflict should be seen as a collective failure of the international community, while the higher responsibility lies on the shoulders of the five permanent members of the security Council*'; and he encourages 'them' to accelerate the reform of the '*UN collective security system...*', and he also writes '*we need also to reverse the persisting trends exacerbating inequalities inside and between countries, which are ticking bombs for the global system*'. And I understand his remarks, but, to me, rich countries, in particular the ones permanent members of UN Security Council, carry a higher responsibilities (in the violent conflicts) on their shoulders ; and Russia and China that have made many efforts to change in the past 20-25 years, have taken more obvious positions to prevent some of the recent violent conflicts than the other 3 permanent members.

64. As we have seen it above, rich countries benefit from the violent conflicts in different ways ; I am not saying that this is right or correct or human, on the contrary, it creates suffering in the (poor and less poor...) countries where the conflicts take place, and we must fight this (obviously as Mr. Zinsou writes it), but it would be much easier to fight these dishonest behaviors of rich countries **if 'you' (LCD, G77...) showed a special interest for the problems of the poor in rich countries and more generally for the problems rich countries have and that make the people suffer** (like the ones I have talked to you about in my letters). I know that poor countries (LCDs, G77, ...) do not have the resources needed to study or simply to look at what is going on in rich countries, but **if someone does the work for you (like I did)** and brings you the proofs of some obvious problems we (rich countries) have and of some obvious grave negative consequences of these problems for the poor (and poor countries and more generally the international community), then you have **absolutely** no excuse for not caring and for not expressing your concerns over the situation that were presented to you (especially when these problems have a negative impact for poor countries). Politicians behave in very much the same way at the international level as they do at the national level, so if 'we' (rich countries) have a national problem that is due to the problematic behavior of our politicians [like the very dishonest behavior of French politicians who have maintained a dishonest legal aid (and justice) system for the poor during 20 years to rob them and send them in the street], then it is in 'your' (poor and less poor countries) interest to help us change this problematic behavior.

D Comments on 'your' 7 2014 high level events statements, on Mr. Ban's synthesis report, on your first 2015 event on the means of implementation of the agenda, and on my proposals to help you achieve your post 2015 development goals.

65. In most of the summaries of key messages (SKM) you stressed that *'the eradication of poverty remains the topmost priority and the overarching development goal'*, and of course, as I reminded it in my 12-20-13 letter ([exh. 15](#)), every one of my proposals addresses **this topmost priority** [priority (1) in the panel of eminent person 2013 report], and several other priorities mentioned in the 2013 panel of eminent persons' report [the transformation of economies (3), put sustainable development at the core (2), and build peace and effective, open, and accountable public institutions (4)], so I believe we can consider my proposals as *'means of implementation of the post-2015 development agenda'*. In her 9-12-14 statement, **Ms. Dayana Rios** who spoke on behalf of G77 countries and China, explained that *'the notion of 'means of implementation' consists of, among others, a mix of financial resources, **technology development and transfer**, as well as capacity building' ... 'These means of implementation **must be supported by actions from developed countries at the international level**, such as time-bound financing targets besides those established for ODA'*, and I believe that the different actions (or proposals) I presented you fit the type of actions Ms. Rios refers to, even if they are not *'strict (or just)'* time-bound financing targets. We should also all agree (rich and poor countries), that the global actions ([global project proposals](#)) that are accepted *'means of implementation of the post 2015 development agenda'* and that are financed by rich countries or citizens of rich countries [the proposals I present you would be financed mostly by rich countries (and would benefit them also)], should help the rich countries that finance them, fulfill their ODA obligations (meaning the amount of money spent for such projects should be deducted from 0,7% of PNB due in ODA). According to the report of the IC of experts on SD financing of 8-8-14 ([exh. 10.4](#), p. 15), **only 5 OECD countries** reached the 0,7% of gross national income target, so **we must change that**, and here my proposals will give these rich countries a chance to fulfill their ODA obligations **while improving their own administrative and economic systems**, which creates a **win/win situation** [this could also help making private citizens donations more efficient because part of an international strategy].

1) The proposals linked to your 6th [on contribution of human rights and the rule of law in the post-2015 development agenda].

a) The reform of the legal aid systems, and the proposals to make judges more accountable and to improve the quality of legal decisions.

66. Since I talked first about the unconstitutionality of the French legal aid system in this letter, I will start again here with the proposals related to the subject of your 6th and last event *on contribution of human rights and the rule of law in the post-2015 development agenda* : **(1) the proposal to improve our legal aid systems** and the suggestion that France (and/or possibly other countries) accept **(a) to reform** its (their) legal aid system (s) in front of the UN to make sure that the new system respects the basic human rights [for France, I stressed that our system violated : art. 6 of the ECHR (right to a fair trial), 13 (the right to access justice), and 14 (right to be free from discrimination), but the government and various competent administrations have refused (**during 20 years**) to admit it or even to comment my remarks on this subject], and **(b) to develop 2 global computer (Internet) applications** that could be used by each country (that wants it) to support their own legal aid system reform [above we identified 2 possible applications : one to help the lawyers record the time they spent on a case and the proceeding documents; and one to help the justice department handle the legal aid applications] ; **(2) the proposal to make judges, prosecutors (clerks,) more accountable** with a suggestion to withdraw certain immunity they enjoy ; and **(3) the proposal to take steps to improve the quality of justice decisions** [that, as we have seen it in the US, are often summary decisions which opens the door to all kinds of abuses] ; here again specific global computer applications can probably be developed to help us achieve these objectives. These proposals are limited in scope, but they would have a significant impact on the post 2015 agenda because as you underlined it, *'human rights and the rule of law are critical to achieve poverty eradication and sustainable development'*.

67. These 3 proposals are coherent with your comments or suggestions on this subject. For example, the background note state at no 9 that *'an estimated **four billion people** live outside the protection of the law and **those that live at or below the poverty line face institutional, legal and administrative barriers that limit their participation in society in equal term'***. My case (over a 20 years period) is certainly a good example of this last remark, and the significant increase of the number of people living under the poverty level in France confirms the relevance of this comment also (our justice systems are getting more complicated, so the poor who cannot get legal help, cannot fight in equal term) ; of course in some poor countries the problems we have in France are worsened by other problems (like giving legal identity to everyone, in his June 9th statement M. Alexis Lamek from France talks about the RCA, a country without archives... courts of justice..., so we understand that in such a context having a lawyer does not help very much) and the development of a legal aid system that gives an efficient legal representation in court to every poor may not seem to be the first priority. **But** remember that we are

making a plan for 15 years and that **if we do a good job**, very poor countries **will catch up rapidly** with the rest of the crowd ; moreover poverty and extreme poverty are not just present in the least developed countries - LCD - [poverty increased in France (and in the US too, I believe) over the past 10-13 years, as I mentioned it in my previous letters]. As for my proposal to take specific actions to make judges, prosecutors more accountable and to improve the quality of justice decisions, it also fits quite well with your remarks, for example Mrs. Navi Pillay, wrote in her statement that '*the post-2015 agenda must be based on a strong accountability framework ... we can build on existing accountability mechanisms at national and international levels*'. Section 8 of page 8 of the summary of key messages also stresses that '*... ensuring respect of human rights and rule of law at the national and international level require effective accountability mechanisms*'.

68. Finally, I would like to close this subject with a specific point that seems very important to many of you. The fact that ('*whilst founded on universal values*') '**national ownership is key**' in this area of rule of law (SKM-6-p.7-no 3). I understand perfectly your remark, so when I propose that France (or another advanced country) reforms its legal aid system in front of the UN and develop global computer applications that could be used by every countries in the world, I am **not trying to force** any country to use a system **that may not fit** in its existing legal system or with its political view. I am just saying that **we all (all countries) have similar constraints, not just 'our universal values'** or human rights standard, but also some financial (or budgetary) constraints **and some organizational and technological constraints if we want to be efficient**, and therefore that if we think (together) about efficient ways to address all these different types of constraints, then we can develop administrative systems and the necessary global computer applications **(1)** that are indispensable in our modern society to support any kind of administrative systems - **supposed to work for a large number of people -, and (2)** that can be used by a large number of countries, in particular those that could not afford otherwise to develop on their own such system. Some rich countries have serious budgetary constraints [France is under the threat of sanction from the European Commission for not making enough cuts in its budget..., and Greece may have to leave the Euro zone... !], and poor countries have even more serious ones, **so we must use more efficient partnerships and cooperation** to resolve our overarching extreme poverty eradication problem, and the proposals I present are innovative ways to do that.

b) The search and the design of the alternative to market capitalism.

69. This section on human right and rule of law is also the place to make a brief remark on the proposal to search for and to design **a new economic system which remunerates each person in relation with his or her relative contribution with society progress** and indirectly respects our human rights standards (**an alternative to market capitalism**), in particular searching for a system that does not constitute a '*degrading treatment*' for a very large number of the world's population as the one we have now does (please see my 12-20-13 letter, [exh.15](#)) and **that respects our environmental and social constraints**. In his June 9th statement, Mr. Ban has stressed that '*inequalities and vulnerability are increasing within and between countries – and not just in terms of income and wealth*' [see also the June 10th Deputy SG statement : '*Inequality is on the rise*'], and some of you have made the link between this problem and other global problems like the emergence of conflicts [*It (the post 2015 agenda) must address the modern needs, and the drivers of violence and war such as inequalities, poverty, exclusion, corruption...*' SKM for thematic debate on '*Ensuring stable and peaceful society*' no 4 page 1, and '*Inequalities is a major problem and obstacle to development. Equality is a critical driver of growth and way to pull people out of poverty*', no 34 of SKM for the MAY 21-22 high level event.], and violence and conflicts are seen as a cause of poverty [Mr. Ban Ki-moon statement of April 24th : '*Countries with major violence have poverty rates more than 20 per cent higher than average*'], so this proposal should be **as much an objective** of our post 2015 development agenda [part of target 10.3 : '*reducing inequalities of opportunity and outcome, including through eliminating discriminatory laws, policies and practice and promoting appropriate legislation, policies and actions in this regard*'] as it is '**a means of implementation of our post 2015 development goals**', because it would not only help **(a)** defeat poverty and **(b)** prevent conflict and violence [help reach goal 1, 2, 3, ..., 8, 9, 12, 16], but it would also **eliminate a 'practice'** that creates inequality within and among countries [goal 10].

70. The fact that our actual economic system, market capitalism, creates inequalities is so obvious that we cannot ignore it and that we cannot refuse to address it in our post 2015 developing agenda [a recent study from Oxfam predicts that – soon – the 1% richest people will own half of the world wealth (!), it was 44% in 2009 and 48% in 2014]. Moreover, **such a reform is a very difficult and long project**, so we need a long time frame to simply imagine such an endeavor like the plan we are now making for the next 15 years to improve the situation of the world, and we should not miss this opportunity. Sadly, you did not specifically discuss this proposal in your statements (or if you did, I did not see it), although during your 11-19-14 event (Annual parliamentary hearing, Session) you responded to the question '*what regulation are needed to ensure that markets work for the people ?*' , and gave pertinent responses

to this question [find appropriate fiscal policies, improve corporate governance, fight taxes evasion...], but you mainly took the assumption that we would maintain our actual economic, market capitalism, which limited you. Again, we can imagine a new economic system which remunerates each person in relation with his or her relative contribution with society progress, so that we do not have to rely on personal (individuals) taxes to make the markets work for everyone, and in which the corporate governance rules are different than the one we have now. As I explained you in some previous letters, taxes are not a good (long term) solution to resolve the inequalities of revenues problems **because**, among other, they create **psychological problems** [rich people have a wrong appreciation of their real contribution to society's progress...,], so we should only use individual taxes temporarily (to compensate the imperfection of the actual system and while looking for a better one), and I must stress again the importance of this proposal whose realization is a way to promote stable peaceful society [see M. Ban's statement : 'That is why it is so important that the current discussions on the post-2015 development framework consider how best to promote stability and peaceful societies'.] and to fight poverty, exclusion and inequalities [again the realization of this proposal is made possible by the creation of a new Internet International organization that would be responsible for developing and maintaining global computer application and more generally the international information systems needed to implement a new advanced economic system], and this brings me to the subject of your 5th event.

[70.1 During your 11-19 (20)-14 event (Annual parliamentary hearing, Session II), I noted a comment from the representative of Spain, I believe, (my computer is old and does not work well so I could not go back to listen to it again and to write down exactly what he said, so I may not have understood well what he said, please forgive for this). He suggested (something like this :) that we write in our Constitution the rules of our economic system (or the rules that control the markets) so that they automatically respect our human rights and that they work for everyone (this is not a bad idea, even if not easy to do before we design a economic system and/or rules that are compatible with our HR standards...). In my 12-20-13 letter I explained you that our economic system, market capitalism, violated the article 3 of the European convention of human rights, the right to be free from degrading treatments, because it created huge difference of revenue, and I took the example of Mr. Zuckerberg who made **2 billions dollars in a year** while Mr. Obama only makes **400 000 dollars a year**..., intellectually speaking this is not wrong, but I don't think that I could present a complaint in France or in the US or at the ECHR to have the rules that allowed Mr. Zuckerberg to make 2 billions dollars in year, judged illegal, in fact the reason he made 2 billions is that many people decided to buy Facebook stocks..., so it is not due to definite rules that are written somewhere. My proposal is to design a new economic system that respect our human rights standard, and our environmental and social constraint, and that pays everyone in relation with his or her relative contribution with society progress, so we would be sure and make sure that the system works for everyone (and we would have no fear of putting the basic rules of this system into laws...). Please understand that I am not against 'markets', it is better to fabricate goods that the people want to buy, but I think that we can find efficient ways to make sure that the markets are more compatible with our political system, democracy, and respect more our human rights standards...]

2) The proposal linked to your 5th event [on contribution of North-South, Triangular cooperation, and ICT for development to the implementation of the post-2015 development agenda], the Creation of a new Internet IO.

71. In this event you stressed the fact that '*ICTs are crucial to reduce inequalities and eradicate poverty ...*', but you also pointed out that '*disparities in access to ICTs within and between countries and regions remain wide*.' and that '*it is therefore essential to ensure universal access to information and communications technologies ..., harmonize policies, and create enabling policy environments to bridge the digital divide*.' , that '*the promotion of ICTs needs to play a larger role in the post 2015 development agenda than it did in the MDGs era...*', and finally that '*there is a striking absence of policy and legal framework to protect civil rights online and to regulate data ownership and control ...*' (SKM-5). The creation of a new Internet IO is **the response to many (if not most) of your concerns** [and it would also help addressing the 'hacking problems' we have encountered lately like the hacking of Sony systems..., it could give an independent point of view on who caused the problem, and prevent such problem more easily]. You write '*Ending extreme poverty everywhere can only be accomplished through effective development cooperation and targeted action*' (SKM-5), but it will be very difficult to design and to prepare these effective development cooperation and targeted actions in the area of ICT, more particularly in the Internet area, if you do not have a dedicated IO (an new Internet IO) to do it. As I mentioned it already, developing global computer applications and addressing many other Internet related issues (like policy and legal issues) **are often complex technical problems** that require specific **technical** competences and resources that no UN agencies has at this time, and that ICANN does not have either, so you must absolutely give '*yourselves*' **the capacity to address all your concerns** in this area. **Neelie Kroes**, who spoke on behalf of the European Union on May 21-22, said '*...the Internet has started to become the best tool the world has known for inclusion and enabling grass roots change. So this precious and seamless gift needs to be central to our whole development agenda...*', and of course I can only agree with her since in my 11-29-05 (exh. 23.6) and 6-14-06 (exh. 23.5) letters I used almost the exact same words when I explained you that '*... The Internet should be at the center of our strategy to defeat poverty ...*'.

72. I know that some countries have **already** suggested the creation of a new Internet IO that would be part of the UN system, **but you can now do it again** in the context of the post 2015 agenda and suggest the possibility of developing **global** computer applications to support post 2015 development agenda, **this is a key**

argument, but so far no one has talked about this argument (to my knowledge). The creation of a new Internet IO is also a **complex-and-expensive-several-years-project** that it is **much easier to justify** if we propose at the same time few specific global actions like the development of few global computer (Internet) applications to resolve specific global problems because this specific project becomes '*a means of implementation of our post 2015 development agenda*', and we can also agree that the amount of financing needed to create this new IO **can be deducted of the ODA obligation** of the countries that will finance it, even if private donors of rich countries participate in the financing. Such proposal (including the possibility to develop global computer applications) put forward a new kind of North-South cooperation that you try to encourage and that you find very important for everyone, and in particular for the poor countries that we are trying to help [the cooperation I proposed to improve our legal aid system, or the one to develop a new Internet fee system which takes into consideration the use of the resources and the profits made with the Internet use are examples of cooperation project we could launch in 2015]. Her again, the US and other advanced countries should take a leading role in such proposal, even if all the other countries must participate in the project also [for example they must **contribute intellectually** for the specification, the design,... , and more generally the development of global computer applications that can be used by every countries in the world]. In his synthesis report, Mr. Ban Ki-moon talks about '*Making the UN fit for transformation*' on page 42, and this is - to me- one of the most important action we can launch to make the UN ready to help you, so again you should discuss extensively this proposal during your February 2015 event.

3) Your first 4 events (three thematic debates on water, sanitation, and sustainable energy, on partnerships and on ensuring stable and peaceful society, and the high level event on the contribution of women, the young and civil society to the post 2015 development agenda).

73. As you have understood it, I have made very few proposals on a very limited number of subjects that - I thought - would have the greatest impact on our various objectives (and in particular have the greatest impact on our main objective that is the eradication of extreme poverty), while you on the other hand had to be thorough, and to cover a larger number of topics **into more detail**. I would like now to review some of the remarks you made and the discussions you had in the first 4 events, and try to see where or if my proposals fit in too.

a) Comments on your statements for the first event on water, sanitation, and sustainable energy.

74. For your first event, a thematic debate on water, sanitation, and sustainable energy, you mentioned at SKM-1 page 4 no 3 that '*the implementation of the post 2015 development agenda will require the participation and involvement of all stakeholders. National parliamentarians and local and territorial governments will play a key role in this regard because of their responsibility in the development of national legal and regulatory frameworks and in the delivery of services to their citizens ...*', and I agree - of course - with this remark and can only regret that in France there was absolutely no public discussion on the preparation of the post 2015 development agenda although we should be very much concerned by this work for a large number of reasons. For example, we know that the two subjects, environment and development (including poverty reduction) are inseparable, so we have to (or should) be as much concerned by the subject of environment (and the success of the 2015 Paris event in this area) than by the post 2015 development agenda and objectives (especially now that you have formally and politically made the link between the two in the post 2015 agenda), and, of course, even more so now that it is strongly recommended that the objectives and targets be imposed on rich countries also (at least for some of them like the decrease of the number of people living under the poverty level of their countries). During your 11-19 (20)-14 event (Annual parliamentary hearing), several members of parliaments intervened and participated in the debate (with pertinent comments), but I regret that the French Parliament (National Assembly and the Senate) and the European Parliament (and the US Congress) did not think more about the ways to contribute more to the global effort with specific proposals like the one I presented you (reform of legal aid system in front of the UN...). The press and media that covered extensively the subject of global warming, also have mainly ignored your work on the post 2015 agenda.

75. In your statements, you stressed the importance of honoring the existing commitment concerning the ODA [see '*It is essential that official ODA continue to flow to the countries that are in most need of it, and that it is used effectively. The issue of basing ODA on GDP was also raised. Existing commitments need to be honored. Developed countries need to fulfill their ODA commitment of 07% of GDP*' (SKM for the May 21-22nd event no 10)]; I agree that it is important; and the proposals I presented you could allow us to reach this goal if you agreed that the money invested to realize them could be deducted from the ODA obligation. In my 11-17-14 letter to the parliament, I described this possibility and encouraged **again** the 2 French assemblies to prepare proposals to help the countries achieve their goals [France is now the 6th economy in the world, but in 2030, it may not even be in the top 10 (and should not be if we do a good job), so it is now that we should play a leading role], and perhaps that a 2 day trip and a speech (in front of the parliaments) from the UNSG or the President of the UNGA could help the French (few other rich countries) politicians understand better the difficult work you are doing, the importance of fulfilling the ODA commitment, and **what is at stake for the world and for (France and) their country**. A country like

France does not need 4 years to think about what it can do to be useful to the world and France between 2015 and 2030 and to contribute to the post 2015 agenda, **but it still needs some time to create a 'bipartisan'** (or multi-partisan) **group** in the national assembly and the senate, and to associate all the different parties to try to gather a widely accepted agreement on what to do. 2014 **would** have been a good time to do that and to have some proposals ready to give to Mr. Ban Ki-moon for his synthesis report or **to you for your February 2015 meeting** on the means of implementation of the post 2015 development agenda, but perhaps it is still time to encourage rich countries to think more about the post 2015 development agenda and to search for and find ways to be useful to the world, and to think about their national reform within the context of the 2015-2030 agenda as I suggested it to do in my 13-9-13 letter ([exh.16](#)) and I reminded it to France **on 11-17-14** ([exh.01](#)).

76. Concerning the subject of this thematic debate, some of you mentioned the importance of the debate and the urgency of providing universal access to water, sanitation and sustainable energy, and M. Ashe has - in his February 18 statement – stressed the link between your first event and climate change, and summarized the magnitude of the problem [he writes : *'the number of affected people is equally great, well known, but nevertheless worth repeating : 783 million live without clean water, 2,5 billion have no adequate sanitation and 1,4 billion are without access to electricity... They are inextricably linked to climate change...'*], so the problem definitely deserved the attention you gave it. In 2008, I proposed that a group of experts study what kind of global Internet applications could be developed to help us resolve our global problems, and I have now given you several examples of what we could do in certain area, the latest proposal being to develop two global Internet applications to help us implement a new legal aid system that uses lawyers civil servants dedicated to this task, but we could also look for other global applications that could help us in other areas like the one you addressed in this thematic debate, so again I urge you to think about the possibility to prepare **few similar projects** in other areas (or to create a group of experts to look at this possibility), perhaps during the first event of 2015 on the means of implementation of the post 2015 development agenda, so that you have specific proposals to vote on in September 2015 and to help you achieve your post 2015 goals.

b) Comments on your statements for the 9 and 10 April 2014 debate on partnerships and why you should read my letters and take into consideration the proposals I presented you.

77. Then for your 9 and 10 April 2014 'Debate on partnerships' I noted the following remarks : *'The post 2015 development agenda requires a renewed global partnership which should be inclusive, and people centered...'*, *'Engaging the local community, particularly in identifying needs and formulating strategies, is crucial for fostering local ownership and accountability. The most effective partnerships are often driven by problem-solving and rely on each partner's area of expertise for success. It is a process of mutual learning for partners involved.'* (SKM no 7 and 9), *'Implementing a unified and universal post-2015 development agenda that is broader in scope will require additional capacity and mobilization of resources. The role of private sector, ..., and civil society has dramatically expanded in size... these players are pivotal in bringing to the table innovative methods ...'* (Background note, Panel 2). I know that the UN has made significant efforts to associate the largest number of people possible in its preparation work, not just through the various reports you solicited like the 2013 reports from the panel of eminent persons or the sustainable development network, but also by asking directly the people to participate [you also gave the possibility to bring remarks for each of your 6 2014 events on the internet, I believe, and invited various speakers who specialize in the different areas covered, **Mr. Ban Ki-moon summarized all the different input you had during the post 2015 process in his section 2.2 pages 10 and 11 of his synthesis report** ([exh.10.1](#))]. And I also know that with more than 7 billions on earth, you cannot take into consideration all the individual comments you receive, **so it is important for me to justify the well-founded of my letters** and to explain you **why they deserve your attention**. In his March 6 2014 statement, **Mr. Wang Min**, Ambassador of China, explained in his fourth argument the following : *'Fourthly, civil society should contribute to the formulation of the post 2015 development agenda on the premise of complying with the rules of Procedures of the General Assembly. ... China acknowledge the active role played by civil society ... and supports the civil society in playing a constructive role ..., by means of cooperation with the government on the premise of complying with the rules of Procedures of the General Assembly'*, and I understand perfectly the pertinence of his comment.

78. In early 2003, I wrote a letter to the UN Deputy Secretary General, Mrs. Frechette and to other personalities ([exh.23.10](#)), and I received a nice letter from the UN ([exh.23.11](#)), **(1)** thanking me for my *'thoughts'*, **(2)** explaining me that to be considered by the UN General Assembly or the UN secretariat, a proposal had be presented by the representative of a member country, and **(3)** recommending me to write to the UN mission of my country ; and of course and again, I understood the remark, but at the time **I was a refugee in the US**, so I did not really have a country to represent me [and France was not a partial party in my case]. And today, although I cooperate with the French government, I support my remarks and proposals with well-documented arguments, and I

submit obviously innovative proposals to Mr. Hollande and his ministers and to politicians, I do not receive any response, motivated or not. My QPC to denounce the unconstitutionality of the French legal aid system **is a form of cooperation with the French government**, I am not violating the law when I present it, I just explain why the law violates the poor **fundamental rights**, and the remarks I made on the 2 recent legal aid system parliaments reports (of July [exh.2](#) and September 2014, [exh.1](#)) have also for objectives to help the French government reform its system while taking more into consideration the work you are doing ([exh.0.1](#)). So in the absence of response from the French government, I believe I am (or should be) entitled to present you directly the remarks I made and the proposals I defend, and **that the proposals should be considered as properly presented and as complying with the rules of procedure of the General Assembly**. It is true that I also present my complaints against the French and the US administrations, and that I **indirectly and unwillingly** criticize the French politicians, and this may be embarrassing to some of you, but I do it as a means to explain the problems more clearly and to give you real life examples of the theoretical problems I present, and **of course always in the context of your work** and effort to develop the best possible post 2015 development agenda.

79. I note that during the recent protests in Hong Kong (and in Ukraine,), **the protesters did not really make the effort of putting their claims or demands in the context of the UN effort** to prepare the post 2015 development agenda (or even in the context of the problems that China faced during the past 20 years and the results it achieved in the poverty reduction area, for example). If the Maidan protesters had looked at the international context or situation before choosing to violently protest, including the economic problems we have (and had recently) in Europe (Greece, euros crisis,), the war in Syria, the UN work on the post 2015 agenda, and your remarks [again, Mr. Jarmo Viinanen's statement : *'The average cost of civil war equals more than 30 years of lost GDP growth'*], **they would surely have concluded that the best way to proceed was to beat Mr. Yanukovich fair and square in the next election**, and thought hard to find solutions to diminish corruption instead of starting or encouraging a civil war. Finally, the proposals I presented you are meaningful proposals that are based on a difficult work **(1)** that I started a long time ago and that involved International Organizations since 1997 [I worked on my Inco-Copernicus project proposal from 1993 to 1997 before I formally made the proposal in September 1997 ; it aimed at resolving a problem identified in the 1992 UN annual report, the problem of integrating all the statistics the UN received from all the countries , see Inco-Copernicus proposal at [exh. 23.1](#), and the EU evaluation and letters of interest at [exh. 23.2](#), [exh. 23.3](#) , the project was presented to UNESCO in September 1997 before it was submitted, and their letter of support was attached to the proposal], and **(2) that led to the more general platform of proposals I presented you in 2005-2006**.

80. I had chosen this project as my unemployment project, and it was supposed to help me find a job. It was my responsibility to do so according to the strategy the unemployment agency advised the unemployed to follow to find a job ; so I did not do anything illegal when I worked on a problem that concerned the UN (even if no one had formally asked me to do this job), on the contrary. I proposed a partnership or cooperation that aimed at solving a serious problem the UN had to resolve (**and you wrote it yourself civil society can bring useful innovative solutions**). The Inco proposal I made was innovative and meaningful [Mr. Ban Ki-moon proposes to do very much the same work now, see no 92 below], and my more recent proposals that are supposed to help you achieve your post 2015 objectives, are coherent and based on a serious work conformed with the approach you recommend in your debate. The fact that French politicians and experts did not respond honestly to my remarks (and various pleadings) stating that our French legal aid system violates several basic human rights does not mean that I am wrong, on the contrary. So even if my letters may seem strange to some of you, they deserve your attention I believe for the good of the world and the success of your post 2015 development agenda. And given **the well-documented critics I made against France**, its justice system and its corruption problems (including the political scandal at the Department of Essonne in the 90), and **against the US** and its justice system (in particular the unfairness of the legal aid system, the way the US Supreme Court works), and the various proofs of the grave injustices I was victim of in France and in the US that I presented you, you can point out the various problems I mentioned you to France and the US and remind them to address these problems as part of their contribution to the success of the post 2015 development agenda.

c) *Comments on your statements for the third thematic debate on ensuring stable and peaceful societies of April 24-15.*

81. From the remarks you made in **your third thematic debate on ensuring stable and peaceful societies** of April 24-15, I noted the following : *'the post 2015 framework must address the root causes of instability, conflict and violence in order to build sustainable peace. ... To achieve the goal of peace, global stability and sustainability, collective action and partnerships are critical including those with international organizations...'*. (SKM no 1) *'It (the post-2015 agenda) must address the modern needs , and the drivers of violence and war, such as inequalities, poverty, exclusion, corruption, environmental shocks and economic crisis.'* (SKM no 4). *'Many criminal justice systems fall short of protecting human rights and the whole society, especially vulnerable populations. We need to examine how institutions can contribute to peaceful society and how this could be*

reflected in the post -2015 development agenda, so the international community provides support to national institutions. (SKM no 9). 'Many recognized the need to strengthen institutions at a multilateral level and define the common interest based on equilibrium , **curbing excessive private accumulation of wealth** and misappropriation of resources. Security is not only about defense, but **we need to invest in the rule of law, civilian policing, and justice sector....**' (SKM no 11). Every one of the proposals I made [the search for and the design a new economic system, the alternative to market capitalism, and the creation of a new Internet IOs that would be responsible for developing and maintaining global computer applications..., the proposal to improve the legal aid system, the quality of legal decisions, and the accountability of judges would also help to build a more peaceful society...] address the root causes of instability, conflict, and violence - the modern needs, and the drivers of violence and war – such as inequalities, poverty, exclusion, corruption, environmental shocks and economics crisis. In fact I know these drivers of violence well because **I have lived under the poverty level for more than 16 years** and I was victim of a corruption scandal and of a very imperfect justice system (in the US and France).

82. Mr. Jarmo Viinanen wrote in his speech given on behalf of Nordic countries this : '*Second, for peace and freedom from violence to be sustained over time, the new agenda needs to address the driving force behind armed conflict and violence. This includes managing disputes in peaceful ways to avoid the need for violence ... This can be done, for example, by promoting inclusive and participatory political making and **by supporting complaint mechanisms which people can turn to***'. His remark is very pertinent and very important, I believe, **but there is a word missing** that is of critical importance if we want to achieve our post 2015 development agenda. This missing word is the word '**efficient**', '*by supporting **efficient** complaint mechanisms which people can turn to*'. I have defended my case in 4 different countries (mainly in France and the US) and I presented complaints or petitions in the highest courts of these two countries and in front of international courts as well like the ECHR and the UNOHCHR, but even though I had obvious proofs of the grave injustices I was victim of or obvious proofs that certain system and law violated human rights I was not able to resolve my disputes in a peaceful manner **over a 20 years period** [and violence is not an option so I simply cannot resolve them]. I did obtain a judgment in my favor in France in 1998, but no one could understand it (or wanted to understand it), and in the US also I obtained a judgment in my favor, but everyone ignored it, and a part from these ignored (motivated) decisions, most of the decisions I obtained were summary decisions that had no meaning and no value [including 7 summary decisions from the US and 6 from the California Supreme courts, and several summary decisions from the ECHR, there is a big competition between the US Supreme Court and the ECHR on who will render the greatest number of summary decisions, with more than 95% of summary decisions the US Supreme Court seems to have the lead, but barely. Some of you may have read the recent article from Thomson-Reuters on the work of the US Supreme Court, it confirms that there is no equal justice in the US, but you already know that the justice system in the US is unfair for the poor like in France, see no 18, 48]. Our systems of law are becoming more and more complex and precise, so having a justice department and complaint mechanisms **is not enough**, we must also have mechanisms that respect the rights of the people and **that are efficient** and work **for everyone**, not just a few (which is not an easy thing to do).

d) Comments on your statements for the first high level event on the contribution of women, the young and civil society to the post 2015 development agenda of March 6-7.

83. Finally, last but not least, from your first *high level event on the contribution of women, the young and civil society to the post 2015 development agenda* of March 6-7, I noted the following remarks : '*Civil society is a key partner in the crafting and implementation of a future sustainable development framework and must be given the space to participate fully, actively and meaningfully in the process.*' '**Implementation of a people-centered, human rights and bottom-up based approach must be at the heart of the new development agenda if we are to eradicate poverty and confront new and emerging global challenges post-2015. This approach must take into account the issues of inequality and discrimination and their root causes....**' The subject of the contribution of women, the young and civil society is critical of course. The platform I presented you aimed at paying a more careful attention to what is going on in rich countries and at putting the Internet at the center of our strategy to defeat poverty and to resolve our other global problems, but it is also coherent with your remarks because it is in part at least due **to a people-centered, human rights and bottom-up approach**. Several of the arguments I presented you were based on my personal experience, and on how the administrative (including justice) systems really work for the poor in France and the US, even if I also forced myself to complement and justify my remarks and arguments with various official reports giving precise and pertinent statistics and information. And the approach I had, definitely took into account the issues of inequalities and discrimination (the unconstitutional legal aid system in France creates inequalities and is discriminatory toward the poor, and our economic system creates also automatically huge inequalities), so you can consider and support the proposals I presented you and give me a chance '*to participate fully, and meaningfully in the process*'.

84. Before ending this section, I would like to mention another proposal I made in my 11-29-05 letter ([exh. 23.6](#)), the proposal to organize a debate between religious groups (and religions) and to ask them to think

about and to try to respond to the questions : (1) *what would be the role of religions in a world free of poverty ?* (2) *What is the role of religious groups in a modern society that respect human rights ?* And perhaps we could also add : (3) *how can we 'adapt' our religions so that the rules or practice they promote respect our human rights standard ?* [to me for example religion in a modern society is **not** about the way you look, about what you wear, or about what you eat ; it is more about the way you feel inside, about compassion, about happiness, about your belief of the existence of god... ; so religions and religious groups should **get rid of any rules, recommendations, practice ...** (veil for women, beard, hat for the Jews, kippa, or linked to food, eating fish on Friday, or no food during the day...) (1) **that allow an identification of the person's religion or a differentiation of persons based on their religion, and (2) that are not compatible with human rights (we are trying to get rid of all forms of discrimination, so there is no need to create unnecessary differences between the people that can be used to discriminate them in one way or the other)**. And religious leaders should not be at the same time political leader (like it happens often in Iraq and Syria, for example) or government leader like the Dalai-Lama who **was** the head of the Tibetan government in exile for many years]. At the light of the recent actuality, I think that this proposal (like the other) is still very important today. I know that many countries and religious leaders have condemned the behavior of ISIS in Iraq or of Boko Haram in Nigeria (the executions, murders,), but it is not the first time that we see such behaviors, so obviously there is a problem that we did not address properly and that causes war and violence, and indirectly poverty as you pointed out. Religions are sometimes (or have been) used to destabilize a country and to advance political views, which is wrong ; so religions and religious groups leaders should know the danger and act to make sure that religions are not manipulated to serve political interests of any kind and that the rules they recommend to follow are not incompatible with our human rights. Certain '*religious*' behaviors are obviously *root causes of conflict and violence*, so religious leaders can surely find ways to improve the situation, and to think how we could diminish the religious related violence. Again, my 2005 plate-form of proposals was limited in scope [see my 11-29-05 letter ([exh. 23.6](#))], but it did address many of the concerns you had during your 2014 events and issues that are still pressing today.

4) Conclusion on this section D.

a) General comments on the seriousness of your 2014 preparation work and approach.

85. You have done an enormous and difficult work, and of course you deserve a lot of credit for the way you organized yourselves and presented your precise and pertinent arguments, either individually, or on behalf of different groups of countries to point out shared concerns. Even though you were able to come up with an overall coherent set of goals and targets and various groups have already started working on the financial and implementation issues, you still have a very important and difficult work to do this year like specifying certain targets for each country when necessary and finding the proper financing and actions to actually achieve the goals and targets (three actions that are interrelated). I regret that you did not mention in one way or the other the proposals I presented you during the various events you had, but I perfectly understand **that you already had a lot on your plate** ; and as I mentioned it above, my proposals fit the type of **actions** that can be put into the category '*means of implementation of the post 2015 development agenda*' (even if some can be also considered as targets), so they can be discussed in your first 2015 event, but the objectives (targets,) we **can** achieve are necessarily dependent on the actions that we can launch to achieve them, so it would have been useful to think about few important global actions to help us achieve our targets in 2014, so that when you arrive in the last year of your preparation work, you have a more precise idea of the types of actions you want to launch to help you achieve your goals **and of the impact they might have on your targets**. You had people working on financing issues ([exh. 10.4](#)), other working on the identification of the goals and targets ([exh. 10.2](#)), and other working on the statistics issues ([exh. 10.3](#), and [exh. 10.5](#), two groups worked on data related issues), **and of course**, your different 2014 event focused on specific development, human rights, and peace related issues, **so you covered a lot of grounds**, and rich countries should have been the ones taking the lead on this special work.

86. The proposals I presented you would cost very little in comparison to the ODA that will be paid to poor countries over the 15 years period. I estimate the cost of creating a new Internet IO **at 2 to 4 billions euros, probably** [including the cost of building a headquarters in New York (probably), and several regions branches, the cost of developing the main computer applications that will be necessary to run it, ...], and the operation of this new Internet IO would be **easily self-financed** as I explained you in my 2005 letter ([exh. 23.6](#)), so there is no need to plan for other expense than '*the creation and installation and migration cost*'. Then for the proposal to search for the alternative to market capitalism, it is primarily an intellectual job, even if the development of the international information system (to support this new economic system) will probably lead also to the development of several global computer applications with a significant associated cost, but all together *probably not* much more than **2 billions euros**. And for the reform of our legal aid system, the main cost will be the development cost of the 2 global computer applications that I described you in section A, and there will also be a cost to help the poor countries that want to implement it, so here again an estimation of less than a billion euros is reasonable, probably. All together we

arrived at an estimated cost of about **7 billions euros** which is about the penalty the US asked the French Bank BNP-Paribas to pay for the illegal transactions it had with countries under embargo, and **only a fraction of the 134.8 billions dollars in ODA paid in 2013** to poor countries according to the report of the IC of experts on SD financing of 8-8-14 ([exh. 10.4](#), p. 14). But even if these proposals represent a small amount of investment (in comparison to the ODA actually spent), we must not ignore them nor the importance of addressing the important **intellectual** issues and of resolving the global systemic problems they put forward.

[87. To prepare your February 2015 event you ask yourselves several questions, so I will now try to respond partly to few of them : **Question 1** '*1.What actions are needed to scale up mobilization of financial resources from all sources: domestic public financing, domestic private financing, international public financing (including ODA), international private financing (FDI and remittances), trade, and partnerships?*' Of course, I believe that developing global computer applications that can be used by all the countries around the world, is **one** type of actions that would help **scale up** mobilization of financial resources (for ODA) because the rich countries that would finance these actions, would also benefit from the systems they develop (see above no 65, this response could also partly address question 6). **Question 2** '*2.What is required of the different development players/actors to improve efficiency and effectiveness in the use of available resources for sustainable development?*' The UN must create a new Internet IO '*to improve efficiency and effectiveness in the use of available resources*' in the area of the Internet and more generally ICT because this organization would facilitate the transfer of technologies to poor countries and facilitate their sustainable development....(this response could also partly address question 5) **Question 4** '*4.What measures can be taken to develop a financial architecture/system that incentivizes the direction of global public and private savings towards sustainable development investments, including provision of long-term financing to fill critical investment gaps?*' Of course, I believe that searching for, designing and developing the **alternative** to market capitalism (an economic system that remunerates each person in relation to his/her relative contribution to society's progress), is one of the best measures that can be taken '*to develop a financial architecture/system that incentivizes the direction of global public and private savings towards sustainable development investments, including provision of long-term financing to fill critical investment gaps*.'

b) The statistical data related issues, and my work over the past 20 years.

88. I listened to the first few speeches that were given during your September high level stock taking event, including the one by Mr. Martin Sadjick in which he gave a rapid overview of the work you would have to do to follow up on the agenda and he computed the number of indicators you would have to review every year to analyze the progress (he multiplied the number of targets by the number of countries and came up with a very significant number of indicators that you would have to look at every year), and I could not help thinking that you will need to have a very efficient information's system if you want to be able **(a)** to analyze rapidly and efficiently all the information that you need to review, and **(b)** to suggest the adjustment or corrective actions that would help the various countries achieve their goals. Mr. Ban Ki-moon extensively talked about these statistical indicators, information's systems and review process issues, in his synthesis report (section 5.1, 5.2, 5.3, on page 37- 42), because these issues are critical, of course, if we want to have a better chance of achieving our goals. Among other proposals he made, I noted the one he made in no 141, 142 and 144, in which he explains that : '*... The world must acquire a new 'data literacy' in order to be equipped the with the tools, methodologies, capacities, and information necessary to shine a light on the challenge of responding to the new agenda...*'; '*And we must significantly scale up support to countries and national statistical offices with critical needs for capacities to produce, collect, disaggregate, analyze, and share data crucial to the new agenda...*'; and '*specifically, we will carry out in close cooperation with country experts an in depth analysis of the existing data and information gaps and, thus determine the scale of the investments needed to establish a modern SDG monitoring systems...*'. Several of the actions he proposes to undertake were exactly the actions I proposed to launch in my 1997 INCO-Copernicus project proposal, and that were supported by **many international and national experts** (and national institutes of statistics) [see Inco-Copernicus proposal at [exh. 23.1](#), and the EU evaluation and letters of interest at [exh. 23.2](#), [exh. 23.3](#)].

89. For example, I proposed to do an '*in depth analysis of the existing statistical data...*' **to create international classification and codification of all the statistics used in international organizations** (in indirectly used at national level), and to develop a system and **a methodology** to collect in real-time statistical data from UN member countries, and of course the goal was also **(1)** to develop a computer system based on the Internet and its technologies that could be also used by all the national institute of statistics to collect their own data (from their regional branches or other entities) –, **and (2)** to support '*countries and national statistical offices with critical needs for capacities to produce, collect, disaggregate, analyze, and share data...*'. If we had realized the research project I proposed (and **that had fairly reasonable cost** since it involved mainly universities and research institute from Europe and Eastern Europe and BIS countries), international organizations and countries would not need to do this part of the special work that Mr. Ban Ki-moon proposes to do now, and we would already have many years of great experience in this area and could focus on designing the new indicators that we need to create to measure the progress we

make, for example '*developing alternative measures or progress beyond GDP*' ... The initial proposal I presented you in 1997 was therefore pertinent, and it demonstrates the great coherence of the work I have done over the past 20 years, and that led me to present the comprehensive plate-form of proposals I described you in 2005-2006 and complemented in this letter with the proposal to create 2 global computer applications to help us implement a more efficient legal aid system, so I would be happy to continue my work at the UN and offer you again my services to help you achieve your post 2015 goals and targets.

E Conclusion.

90. Two recent parliamentary reports on the French legal aid system pointed out some obvious and grave problems that affect the poor direly [legal aid offices that grant or deny legal aid application without applying the proper standard, poor who have almost no chance to obtain justice, lawyers who are paid at the end of the proceeding and only for a fraction of the hours they should put in to defend their client correctly, ...], and showed that it is (in practice) impossible to develop an **efficient** legal aid system if we rely mainly on private lawyers [for example it is very difficult or impossible (a) to design a system **that can pay different hourly rates depending on the complexity of the case**, (b) to avoid paying the lawyer at the end of the mission, (c) to sort the cases to forward them to the competent lawyer based on their complexity ...] ; this is why I proposed to create a group of 5000 civil servants lawyers specialized in legal aid missions [similar types of legal aid system are already in use in Canada (Quebec), it seems, and for criminal defense in the US and the UK **at least**]. This proposal presents many different advantages : it simplifies the administration of the legal aid system and diminishes its cost for the community, it improves the quality of services rendered to the poor, it allows the government to charge a part of the legal aid expenses to the persons or organizations that are actually responsible for a part of it, and **it gives the possibility (a) to develop two global computer applications to facilitate the legal aid systems reform implementation and (b) to share the use and cost of these 2 applications with all the countries in the world that want it.**

91. This last feature is very important for you and it is also the main argument that supports my proposal to have a '*developed country*' (France, US, **or another**, or a group of countries) reform its legal aid system in front of the UN and develop 2 global Internet applications (one to record all the lawyers' work per client, per type of proceeding, ... and one to manage the legal aid applications) that could be used by all the countries that want it because it would make it easier for poor countries (and all the countries in general) to fight poverty and inequalities. This proposal and more generally the plate-form of proposals I presented you encourage you to pay a more careful attention to what is going on in rich countries to resolve more efficiently our global problems ; and as we saw it above, the recent actuality and some of your remarks have shown that we absolutely need to do that if we want to diminish the number of conflicts and to reach our post 2015 development goals and targets. Independently from the various causes of poverty you identified, I thought it was also important to point out '**a contradiction**' that prevent us (or at least slow us down in our effort) to defeat poverty and to maintain peace around the world ; namely the fact that being a rich country (or richer than the other countries) is an advantage which sometimes pushes rich countries to destabilize poorer or weaker countries to prevent them from developing faster [for example some of the recent conflicts or disputes (Syria, Ukraine,) can be more easily explained by this fact than by a real will to improve society, to respect international laws, and to resolve our global problems]. The only ways to overcome **this very serious contradiction** are, I believe : **(1) to explain to rich countries that this contradiction is a real problem and that the pursuit of their interest to stay much richer than other countries can gravely impair their judgment** when it comes to addressing certain international issues, **(2) to ask them take into consideration this contradiction when they design foreign policies and to think carefully about the consequences before encouraging protests or civil wars in weaker countries, and more generally (for the international community) (3) to pay a more careful attention to what is going on in rich countries.**

92. The review of the statements you made during the 7 2014 events confirmed the well-founded of the proposals that I presented you over the years and summarized again in my 12-20-13 letter ([exh. 15](#)). For example, **the creation of a new Internet IO** that could develop and maintain global computer applications that can be used by all the countries' administration **is the answer to many of the concerns you expressed during your 5th event** [on contribution of North-South, Triangular cooperation, and ICT for development to the implementation of the post-2015 development agenda] ; and of course the proposal to reform our legal aid systems summarized above together with the proposal to design and develop the alternative to market capitalism **address several of the concerns you expressed during your 6th event** on contribution of human rights and the rule of law in the post-2015 development agenda. I do not want to minimize the importance of your 4 other events, on the contrary, I think you chose the different subjects of your events well, and that we could design specific global actions similar to the ones I already presented you to help you resolve some of the problems you pointed out during these events.

And because of the interrelation between the different themes you addressed in these 4 events, the proposals I presented you did address several of the concerns you expressed during these events as well. For example, during your third thematic debate on ensuring stable and peaceful societies, you stressed the importance of addressing **the modern needs**, and **the drivers of violence and war** such as inequalities, poverty ..., and my proposals are all focused on these issues.

93. You did not specifically talk about my proposals (or plate-form) during your various discussions and debates, and obviously the French politicians ('*députés*' and '*sénateurs*') and government I contacted in 2013 and then 2014 to ask them **(1)** to think about **(a)** these specific proposals and **(b)** the role France could play to support them, and **(2)** to talk about your effort and work on the post 2015 development agenda, did not either talk about my proposals or even about your work, so very little progress has been made so far. In February 2015, you will have an event *on the means of implementation of the post 2015 development agenda*, and you will talk about the financing of the post 2015 development agenda, and I think that you must absolutely **(a)** define a strategy that includes the specific global project proposals I presented you (to address several important global intellectual and systemic issues) and **(b)** agree that the financing of these projects can be deducted from the ODA obligation of the rich countries that will finance them. Money is very important, of course, but the efficient use of the money is as equally important, so we need to make an effort to address the systemic problems which cause poverty, as I proposed to do. Moreover, we know that rich countries need **(1)** to fulfill their ODA obligations and **(2)** to be more involved in the global effort to control greenhouse gases emissions, to eradicate extreme poverty and to decrease the inequalities ; and the proposals I present you give them new ways to do it that are also very beneficial to them ; a part of the ODA paid to poor countries would not be any more just an important expense, it would become a way to improve the administrative systems and the society in rich countries. So I urge you to support the proposals I presented you and also to use my personal case and the various difficulties I encountered in France and in the US to point out the weaknesses of the US and French justice systems and society, and to encourage urgent reforms that address these weaknesses for everyone's benefits.

94. I also urge you to end the sanction against Russia if you are the 'ones' who impose them or to encourage the US and Europe to end their sanctions if you are part of the G77 group of countries or part of the emerging countries. Russia is not our enemy, on contrary they have an important role to play to help us reach our post 2015 development agenda, and they have made a pertinent analysis of the situation in Syria these past few years unlike France and the US. Recently, the journal Charlie Hebdo has been attacked by a group of Islamic terrorists (who pretend to be from Al-Quaeda and Isis), and this attack has reminded us of who is the enemy ; religious extremism, in particular the Islamic extremism (of ISIS, Al-Quaeda, al-Nosra, Boko Haram, ...), is the enemy, not Russia who has fought it on several occasions and had anticipated the tragic evolution of the situation that we saw in Syria and Iraq. Also if France, a predominantly catholic country (60% of catholic about, and less than 10% of Muslim), has a hard time to prevent an attack like the recent one on Charlie Hebdo (and to make a difference between jihadists and certain more moderate Muslims), you can be sure that Syria (probability a predominantly Muslim country) and Mr. Bashar el-Assad did not exaggerate **(1)** the presence of Islamic extremists in the protest that started the ongoing war in Syria, **(2)** the threat they represented for Syria, for the region and for the world, and **(3)** the difficulties he was facing (including in making a difference between the extremists and so called good rebel) ; so **the US, Europe** (including France), and **the so-called 'good rebels'** should **admit their error in evaluating the situation** and accept to make peace with the Syrian government and to fight our common enemy (Isis, Al-Quaeda, Boko Haram,...) who also strikes in France now.

95. I tried to email my previous letters to most of you by using the various missions email addresses given on the UN website, but many were returned without being read, so this time, I would be grateful to M. Llorentty (who spoke on behalf of G77 and China, and to Mr. Jeremiah Mamabolo who will speak on behalf of the G7 in 2015), to M. Zinsou (who spoke on behalf of the group of LCDs), to Mr. Martin Sajdik (who spoke on behalf of the Group of Friends of the Rule of Law), to Ms. Marjon V. Kamara (who spoke on behalf of the African Group), if they could forward this letter to all the permanent representatives of member states they have spoken for (and who did not already get it). I would also be grateful to the permanent representatives of countries which have French as one of their official languages (Canada, Switzerland, Luxembourg, Benin, ...) if they could take some time to read my 11-17-14 letter ([exh. 0.1](#)) that contains a more detailed explanation of the justice problems France faces and more precise description of the solutions than the one I gave you here, and to talk to their colleagues about the arguments they feel are pertinent, but that I did not include here. And of course I hope also that Mr. Kutesa - who knows well the importance of implementing

efficient and honest legal aid systems if we want to guarantee the respect of the poor fundamental rights -, **will find the right words to encourage everyone of you to support the proposals I presented you in this area.** Finally, I have worked on the issues I discussed here for more than 20 years and I followed closely your work on the post 2015 development agenda, so I would be happy to work with you at the UN and to help you make sure that the post 2015 agenda is a success if you can use the experience I acquired.

Wishing you a happy and productive 2015 year, 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:

Les rapports récents sur l'AJ et des statistiques et articles important

- exh. 0 : Letter to MM. Hollande, Valls...., dated 17-11-14 (0.1), [<http://www.pierregeneviev.eu/npdf2/let-pres-pm-etc-7-17-11-14.pdf>].
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- exh. 2 : Rapport des Sénateurs Joissains et Mézard 2014; [<http://www.pierregeneviev.eu/npdf2/rapport-AJ-joissains-7-2014.pdf>].
- exh. 3 : Rapport de la mission MAP 2013; [<http://www.pierregeneviev.eu/npdf2/rapport-AJ-MAP-11-2013.pdf>].
- exh. 4 : Rapport des députés Gosselin et Pau-Langevin 2011; [<http://www.pierregeneviev.eu/npdf2/rapport-AJ-gosselin-4-2011.pdf>].
- exh. 5 : Rapport Darrois 2009; [<http://www.pierregeneviev.eu/npdf2/rapport-AJ-darrois-3-2009.pdf>].
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- exh. 7 : Rapport Bouchet 201113; [<http://www.pierregeneviev.eu/npdf2/rapport-AJ-bouchet-5-2001.pdf>].
- exh. 8 : Statistiques CNB sur les revenus des avocats (8.1); [<http://www.pierregeneviev.eu/npdf2/stat-CNB-2012.pdf>].
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- exh. 10 : UN reports, Mr. Ban's synthesis report 12-2014 (10.1), [<http://www.pierregeneviev.eu/npdf2/UN-synthesis-report-dec-2014.pdf>]
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Report on development agenda financing 8-8-14 (10.4), [<http://www.pierregeneviev.eu/npdf2/report-financing-dev-agenda-8-8-14.pdf>]
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- exh. 11 : Lettre à M. Hollande, M. Valls...UNGA, du 30-6-14 (18 p.); [<http://www.pierregeneviev.eu/npdf2/let-pres-pm-UN-6-30-6-14.pdf>].
- exh. 12 : Lettre envoyée à l'AGNU le 5-6-14; [<http://www.pierregeneviev.eu/npdf2/letunga-5-6-14.pdf>].
- exh. 13 : Lettre envoyée à M. Hollande, Mr. Valls ... (18 p.); [<http://www.pierregeneviev.eu/npdf2/let-pres-pm-min-5-23-4-14.pdf>].
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- Les documents liés à ma plainte pénale, y compris la OPC et les lettres au Conseil d'administration du CA.***
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<i>a) A questionable violent protest.</i>	
<i>b) The presumed high-level corruption was not a ground for a revolution either.</i>	
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<u>1) The proposals linked to your 6th [on contribution of human rights and the rule of law in the post-2015 development agenda].</u>	p. 25
<i>a) The reform of the legal aid systems, the proposals to make judges more accountable and to improve the quality of legal decisions.</i>	
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<i>c) Comments on your statements for the third thematic debate on ensuring stable and peaceful societies of April 24-15.</i>	
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