

The public Court Trial of Dutch Government

Case: confesses the criminality of its judiciary but let it free



Introduction

The United Nations developed a treaty (derived from the verb "to treat") on migration of human beings. Then, an Intergovernmental Conference is convened in Marrakech on December 10 en 11, 2018 under the auspices of the United Nations General Assembly. This Conference aimed to adopt the treaty and power it by signature of each agreeing country.

The Dutch Government attended for the purpose to only sign after a Dutch 'inlay-sheet' is accepted and laid-in in the treaty. This 'inlay-sheet' contained the declaration of the Dutch government that the agreement on "not legal binding of the treatment" in real means "not legal binding of the treatment".

The goal of this declaration still is to destroy that the treaty or the agreed paragraphs become adopted in the Netherlands by judges as lawful source for claimed rights by "smart solicitors". The newspaper publication is attached, of the State Secretary's confession –on behalf of the government– "to avoid misunderstandings" by an explanation of their vote.

The State Secretary did not protest against the quote of his words, intentions an aim.

The facts of violation

- () The Dutch Government confess its knowledge that the judiciary, a Court or judge,
 - () does not obey the legality of agreed matters;
 - () does decide about a dispute but dictates his opinion;
 - () does not follow the intentions and aims of a contract party;
 - () does not follow the legislator's intentions and aims;
- () The Dutch Government exhibit to blame other persons to protect its criminal judiciary, Courts and judges;
- () The Dutch Government let the criminal judiciary, Courts and judges go free and allow each of them to destroy further the peace in the Dutch community and society;

Remark

The UN Migration Pact aims to activate implementation into each State's system of the human treatment of fugitives and migrants. So, what kind of people and judges oppose to this.

Corollary

The Dutch Government pretends being obligated to respect an unlimited independency of the judiciary and this prohibits examining individual judge-decisions on perjury and other criminalities committed by Courts, judges, officers or bodies of the Judiciary.

The Dutch Government unveils that persons who attempt to acquire –with lies and crimes– more than what legally is theirs, are not condemned by the Dutch judge.

Refutation:

The Governments signatory agreed and are the High Contracting Parties involved in the Convention for Protection of the Human Rights and Fundamental Freedoms, that secured to everyone the Rights and Freedoms defined in the Convention (*1). This excludes the presumed "Judicial Power".

Nothing in the European Convention may be interpreted as implying for any State, group or person any right to any act aimed at the destruction of any of the rights and freedoms or aimed at their limitations to a greater extend then is provided in the Convention (*2). Although the EU is not a State, it is for sure a group and a gathering of persons.

Each member of each government swears its oath in front of the Dutch King. Each swears –among others– (quote) "I swear faithfulness to the King, to the Statue of the Kingdom and to the Constitution". Article 94 of the Dutch Constitution establishes the priority and dominance of the ECPHR over each Dutch law-article.

The accountability of each member of the government

Each member of each government swears its oath in front of the Dutch King. Each swears –among others– (quote) "I swear that I shall faithful fulfil the obligations that my official capacity put on me."

In the preceding paragraph is unveiled the task of each to faithful apply the priority and dominance of the ECPHR over each Dutch law-article.

Besides each member's accountability and responsibility is the government as group also accountable and responsible.

The empowerment of the public to judge

The public is by law empowered to examine and judge court-decisions or judge-decisions on the Human Rights (*3).

The nature of the violations results that no "Court of first instance" is available to judge the Government's deeds, behaviour and actions. So, inside the legal frame of the Human Rights and Fundamental Freedoms is the public the only left lawful empowered independent judge.

Legal frames and arisen rights

Due to the deliberate lack of legal frames –in particular the ones that state Human and Civil Rights or out of which these rights corollaries– it becomes necessary to pronounce publicly these legal frames and arisen rights.

(01) The Warranty Agreement

Rights do solely arise out of a preceding law article. The Human Rights are proclaimed in and by the UN Universal Declaration (*4). This declaration is a pledge, so a normal contract. This UN-contract has at the supplying side each Member State of the United Nations and at the receiving side each of the civilians or inhabitants of each Member State.

The UN-contract is in the European Union further elaborated into the Convention for the Protection of Human Rights and Fundamental Freedoms. This EU-Convention is a Warranty Agreement (*5) on the supply of protection, so a normal contract. This EU-contract has at the supplying side each Member State of the European Union and at the receiving side each of the civilians or inhabitants of each Member State.

By ratification became the UN-contract and the EU-contract implemented in the national law. What more is agreed on is in the EU-Convention and guaranteed the supply to everyone. Example: The Dutch Constitution –by article 94– establishes the priority and dominance of the EU-Convention over each law-article.

Agreements Rights.

Each country has Agreements Rights in which is elaborated what precise mutual rights, out of a contract arise. Undisputable and crystal clear is, that in the legal frame of the contract on Human Rights first of all must be supplied, a Court with an impeccable staff and the guaranteed tribunal with an average or better quality of sworn judges. The European and national judiciary, Courts and judges work under the Warranty Agreement and Agreements Rights.

(02) Human Rights are possession

Due to the contractually stated possession of –worldwide– everyone civilian, are the Human Rights impossibly a charity. Because these rights are everyone's possession these are impossibly an economic object.

Due to the contractually stated possession of everyone European civilian, is the Protection of Human Rights impossibly a charity. Because this Protection is everyone's possession this is impossibly an economic object.

So, the economic status of a country is no reason or justification to steal –some of– the Human Rights. Besides a theft, is this also a breach of contract of their's Protection. The economic status of a country is impossibly a redress or compensation of damages.

Because the Human Rights and their Protection are no economic objects both are easy to supply everywhere, in any situation and in any legal relationship. Each notice of a stolen possession is an undiscussable and undisputable –instant compulsory– restitution, of which a delay causes a huge financial and immaterial damage.

- (03) **Guarantee of an effective remedy against Courts and judges**
Against criminal Courts and judges who commit perjury must be available for everyone an impartial and independent tribunal with sworn judges (*6). When not available is the public –or the involved civilian– the only legally empowered judge.
- (04) **The equalizing power of Human Rights**
The Human Rights are an equalizing power (*7) and nothing less and nothing more. In case the civilian and the public with Human Rights should take-over the oversize of power then the difference in power remains: Nothing improves by turn-over the roles. This wisdom gave birth to the Universal Declaration of Human Rights.
- (05) **The sole detectability of the presence of Human Rights**
Human Rights exist unconditional (*8), so are always present for everyone and valid.
- Everywhere where an oversize of power is used, undisputable the Human Rights not exist because Human Rights are present or not. In particular the equalizing power of these Rights is impossibly a little present and is impossibly the most powerful.
Note: The use of power is just doing the job right.
So, each misuse of power –like ignore or not use the critics– is a crime, but leave this misuse unpunished is a capital crime.
- The call for violence
The absence of Human Rights is a call for violence in whatever way (*9).
- (06) **The ownership of an expression**
The EU-contract contains the Protection of the Fundamental Freedom of speech or expression (*10). To express freely one's will is one's Fundamental Freedom and thus is this expression the speaker's or writer's and signatories' enduring ownership and possession. Stealing this expression and exchange it for some interpretation or some perception of a tribunal or judge, is a crime, but leave the theft or the exchanged expression unpunished is a capital crime. Therefore does also each law-article remain the sole ownership of the legislator who made it.

Conclusion

Considering,

- that the government has no serious contrary facts;
- that the people must be enabled to trust the Constitutional Rights;
- that the government is part of the State's legislator and is the leader of the State's Executive Power, included the judiciary;

The public or the involved civilian are the only empowered to judge the government, within the legal frame of Human Rights and the Fundamental Freedoms or within the legal frame of the Protection of these rights or freedoms.

Without the control of the government did the judiciary, its organs, each of the Courts, tribunals or judges develop itself into a monstrous, criminal and dictatorial organisation with the purpose to destructs the Human Rights. And still is allowed developing this way.

The injustice and discrimination make human beings angry. The people are forced to take own measures to protect. The violence in society is firstly caused by criminal Courts and judges and mainly by a lack of inspection by mainly the government.

Paper rules do not change persons' mentality or thinking. But written expressions remain the enduring declaration of the writer's deliberated will. To express freely one's will is one's Fundamental Freedom and thus is this expression the writer's enduring possession. An interpretation or perception does not change this ownership;

With the consciousness of,

That Human Rights are an equalizing power and nothing less and nothing more.

In case the civilian with Human Rights should take-over the oversize of power then the difference in power remains. Nothing improves by turn-over the roles. This wisdom gave birth to the Universal Declaration of Human Rights.

Each person who developed itself above the "enough"-level of righteousness, exposes itself by the genuine receipt of each criticism like a grateful gift which helps to improve the quality of a highest level of protecting justice and peace. And act this way. Others are identifiable by the remain of fighting plus doing all to keep it in silence or to cover it up in many ways and pretending a defence by accusing and fighting the messenger in return.

Everywhere where an oversize of power is used, undisputable the Human Rights not exist because Human Rights are present or not. In particular the equalizing power of these Rights is impossibly a little present and is impossibly the most powerful. The government's lack of actions vanishes the Human Rights and its equalizing power, which lack can not turn into justice by an excuse.

The public's decision

Perjury and capital crime

By turning away –regardless by which doing– from each crime by the judiciary, does the Dutch Government and each member individual commit perjury and a capital crime against the ECPHR: the Human Rights for everyone are not secure and were not secured. The evidence of perjury and crimes by Courts or by judges are or are delivered in or by the webdossier at "www.de-openbare-zaak.nl" which has a Dutch and an international section in English besides the "Court Trials to the public".

Contract and Agreements Rights

The secure of the Human Rights and Fundamental Freedoms is a normal contract. What is agreed on is in the ECPHR. This contract guarantees the supply to everyone. This contract dominates each national law article and in the Netherlands by article 94 of the Constitution. The national judiciary and judges work under Warranty Agreement and Agreements Rights.

Compensation

Compelled by the Universal Declaration, European Convention and Dutch law must the Netherlands –like each joining State under its own law– supply under the Warranty Agreement. The Agreements Rights force the Dutch Government pay to compensate for the irremediable damages and for the delay-damages. This payment impossibly dismisses the Dutch Government from executing the contract and the vow by each individual member's oath.

Reparations

Because the Dutch Government exhibited not to know what is necessary, the public clear this up and decide as follows;

- () the involved civilian **and** the public shall be enabled to judge each judge-decision on:
 - () each of the requirements for a scientific investigation;
 - () each legal frame in which the decision is examined, and compelled starting with article 94 of the Constitution;
 - () each decision in the Court Trial "Wraking" is also at the least in the legal frame of perjury next after article 94;
 - () a decision as for each equal case in the same determined category of cases;
 - () a decision as for everyone civilian and executable at any place in the country;
 - () the fixing of the case at the start of the Court Trial at the Court;
 - () the necessity of the Court Trial by what each litigant declares of what is done to avoid it;
 - () a fair litigation and emphatic on the fair order of actions by litigants and judge;
 - () whether the lying or the truth, in each reason for the decision;
 - () whether the legislator's intentions and aims is applied or the prohibited judge's opinion or the prohibited tribunal's opinion, in each reason for the decision;
 - () the emphatic approval by each litigant for the mentioning in the decision of all its points of dispute in this case, for judgement;
- () each judge shall be fired due to perjury and stealing of the people's possession of the Human Rights, the Court Trials "Wraking" is very often done in which the judges could refute;
- () each judge shall be condemned and placed out of work for a lifetime, in the field of Justice and shall pay for compensating the damages due to the Agreements Rights;

To keep a repaired future

Besides the keep of the above reparations, the public decides to add the following,

- () in each Court Trial is each civilian empowered to plea or to defend its own case;
- () each law is equal applied in the legal frame on the protection of the Human Rights;
- () in each Court Trial is the Court's registrar's office compelled to be the third party with the dossier that contains the received process-documents, the earlier decision in the same category of cases and the Court's investigation of the legislator's intentions and aims with each involved law-article;
- () each Court Trial without any exception, is deliberated in a public hearing;
- () each Court Trial is a litigation without meddle of a judge with its opinion;
- () each Court Trial "Wraking" is a litigation of the judge's discharge out of work in the field of justice within the legal frame of firstly perjury and then the Dutch law "Wet algemene bepalingen";
- () each Court Trial against a public servant or public officer is firstly about stealing the civilian's Human Rights;

In addition the public decide as follows,

- () the Dutch Government is prohibited to hide behind any human shield of a body, an institution or a commission in each case of an individual violation of Human Rights and Fundamental Freedom;
- () according to article 5 of the Constitution has each individual civilian open and free access to the Dutch Government or each member with its report about the violated Human Right of Fundamental Freedom;

Notice for the aims:

- () The amount of cases signals the size and weight of trouble in society by public servants or public officers –including judges– with abuse of the equality of power;
- () A good own inspect or control by the Dutch Government on the execution of

obedience and equality in power by the Dutch Executive Power decreases the violations;

References:

- *1. Convention for Protection of Human Rights and the Fundamental Freedoms, preamble and article 1
- *2. European Convention for Protection of Human Rights and the Fundamental Freedoms, article 17.
- *3. Case Campbell and Fell versus the UK, 28-06-1984, paragraph 91.
- *4. Universal Declaration of Human Rights, preamble last consideration
- *5. Convention for Protection of Human Rights and the Fundamental Freedoms, preamble and article 1
- *6. European Convention for Protection of Human Rights and the Fundamental Freedoms, article 13.
- *7. Universal Declaration of Human Rights, preamble first consideration
- *8. Universal Declaration of Human Rights, whole preamble
- *9. Universal Declaration of Human Rights, preamble third consideration
- *10. European Convention for Protection of Human Rights and the Fundamental Freedoms, article 10

This document suffers expansion.

POLITICS

DUTCH PARLIAMENT SUPPORTS UN MIGRATION PACT

By Janene Pieters on Wednesday, 5 December 2018 - 10:20



Mark Harbers. (Photo: Sebastiaan ter Burg / Wikimedia Commons / -)

A large majority in the lower house of Dutch parliament supports the government's intention to sign the United Nations' new migration pact next week, was revealed in a debate on the matter on Tuesday.

In addition to coalition parties VVD, CDA, D66 and ChristenUnie, the pact is also supported by GroenLinks, PvdA and DENK, NU.nl reports PVV, 50Plus, SGP and FvD are against the pact. They fear that migrants may derive new rights from the pact. PvdD and SP are still considering.

The migration pact is the result of 18 months of international negotiations following the migration crisis of 2015. The assenting countries agree that international cooperation is necessary to manage migration. The number of people currently adrift worldwide reached a record number of 68 million. The pact has 23 objectives, including tackling the causes of migration and tackling human trafficking. It points to the obligation of migrants to comply with the laws and regulations of the country they are in, but also points to the host country's obligation to provide basic necessities. The pact is non binding.

The Dutch government has been planning to agree to this pact for months and has a number of arguments for doing so, according to the newspaper. Due to the expected population growth in Africa, climate change, and the political instability in countries around Europe, the government wants to be able to make agreements with the international community to manage migration in a safe, orderly and regulated way. For example, the government hopes that with the pact, Libya can be reprimanded for the dire circumstances in which refugees and asylum seekers are currently being helped. This could help put an end to human trafficking and exploitation that result from this form of migration.

In the debate on Tuesday, FvD leader Thierry Baudet said that the 'Marrakesh pact' is an "open invitation for Africa to come here". The PVV called a "suicide pact". The two parties filed a motion of no confidence against the government, but it only got 18 votes.

The VVD, CDA, D66, SP and ChristenUnie, among others, accused the two anti-immigrant parties of not sticking to the facts. They emphasized that the pact explicitly states that it is not binding. CDA parliamentarian Madeleine van Toorenburg accused the FvD of "demagogic rhetoric". D66 parliamentarian Maarten Groothuizen accused the two right-wing parties of fear mongering.

VVD State Secretary Mark Harbers of Migration reiterated that the agreements from the pact are not legally enforceable. According to him, a judge can not derive any new rights or rules from the pact, because the objectives do not go beyond national laws and already applicable international treaties. In addition, the pact explicitly states that it is not legally binding and does not affect the sovereignty of countries. In order to "avoid misunderstandings", the government will release an explanation of their vote, which will again emphasize that the pact is not legally binding, he said.

According to Harbers, the fact that the pact is not legally binding does not mean that it is useless. In the agreements the government sees an important diplomatic means with which the Netherlands can, for example, appeal to countries to take back their citizens who are not entitled to stay in the Netherlands. In this way, the Netherlands can, for example, deport asylum seekers from safe countries who are not entitled to asylum in the Netherlands.

Not all countries are convinced of the usefulness and necessity of this pact, according to the newspaper. The right-wing populist anti-immigration governments of the United States, Austria, Poland, Hungary and Italy already dropped out of the pact. About these countries Harbers said that there are "many people who read things in the pact that do not exist".