

The public Court Trial

of

European Court of Human Rights

Case: breach of contract and notice of default



Revision v2

Introduction

After a reasonable time has elapsed, an application form is lodged to the European Court for Human Rights (hereinafter: the Court). This Court is the practice model for and has a significant participation in the submitted violations by the Dutch courts. If a qualified judge would serve at the ECHR, then this judge would persuade his colleague-judge to correct or in case of escalating would brought him before a tribunal that meets the guarantees of article 6, §1 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: ECHR). This judge does not serve at the Court and therefore each of the judges of the Court is equally accused and called to stand trial before the public scrutiny and judgement. By the lack of a high quality self-cleaning inside the courts is the public scrutiny the last empowered authority for safeguarding and defending the Human Rights and Fundamental Freedoms by public scrutiny of the judiciary (confessed and confirmed in case Campbell and Fell vs. the United Kingdom, 28 June 1984, §91).

Because the ECHR is an ordinary contract with on one side the Contracting Parties and on the other side everyone (article 1, ECHR), the Court commits breach of contract and this document is and extends the notice of default.

Due to the limited space in the form, it extends by this document and this document mainly focuses on the violations by the Court. Form and document are inextricably linked. Only the English and Dutch versions are authentic.

About this application form

This form is a formal legal document and may affect your rights and obligations. Please follow the instructions given in the "Notes for filling in the application form". Make sure you fill in all the fields applicable to your situation and provide all relevant documents.

Warning: If your application is incomplete, it will not be accepted (see Rule 47 of the Rules of Court). Please note in particular that Rule 47 § 2 (a) requires that a concise statement of facts, complaints and information about compliance with the admissibility criteria MUST be on the relevant parts of the application form itself. The completed form should enable the Court to determine the nature and scope of the application without recourse to any other submissions.

Barcode label

If you have already received a sheet of barcode labels from the European Court of Human Rights, please place one barcode label in the box below.

Reference number

If you already have a reference number from the Court in relation to these complaints, please indicate it in the box below.

A. The applicant

A.1. Individual

This section refers to applicants who are individual persons only. If the applicant is an organisation, please go to section A.2.

1. Surname

2. First name(s)

3. Date of birth

| | | | | | | | | |
|---|---|---|---|---|---|---|---|-----------------|
| X | X | X | X | X | X | X | X | e.g. 31/12/1960 |
| D | D | M | M | Y | Y | Y | Y | |

4. Place of birth

5. Nationality

6. Address

7. Telephone (including international dialling code)

8. Email (if any)

9. Sex male female

A.2. Organisation

This section should only be filled in where the applicant is a company, NGO, association or other legal entity. In this case, please also fill in section D.1.

10. Name

11. Identification number (if any)

12. Date of registration or incorporation (if any)

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| | | | | | | | | e.g. 27/09/2012 |
| D | D | M | M | Y | Y | Y | Y | |

13. Activity

14. Registered address

15. Telephone (including international dialling code)

16. Email

B. State(s) against which the application is directed

17. Tick the name(s) of the State(s) against which the application is directed.

- | | |
|---|---|
| <input type="checkbox"/> ALB - Albania | <input type="checkbox"/> ITA - Italy |
| <input type="checkbox"/> AND - Andorra | <input type="checkbox"/> LIE - Liechtenstein |
| <input type="checkbox"/> ARM - Armenia | <input type="checkbox"/> LTU - Lithuania |
| <input type="checkbox"/> AUT - Austria | <input type="checkbox"/> LUX - Luxembourg |
| <input type="checkbox"/> AZE - Azerbaijan | <input type="checkbox"/> LVA - Latvia |
| <input type="checkbox"/> BEL - Belgium | <input type="checkbox"/> MCO - Monaco |
| <input type="checkbox"/> BGR - Bulgaria | <input type="checkbox"/> MDA - Republic of Moldova |
| <input type="checkbox"/> BIH - Bosnia and Herzegovina | <input type="checkbox"/> MKD - North Macedonia |
| <input type="checkbox"/> CHE - Switzerland | <input type="checkbox"/> MLT - Malta |
| <input type="checkbox"/> CYP - Cyprus | <input type="checkbox"/> MNE - Montenegro |
| <input type="checkbox"/> CZE - Czech Republic | <input checked="" type="checkbox"/> NLD - Netherlands |
| <input type="checkbox"/> DEU - Germany | <input type="checkbox"/> NOR - Norway |
| <input type="checkbox"/> DNK - Denmark | <input type="checkbox"/> POL - Poland |
| <input type="checkbox"/> ESP - Spain | <input type="checkbox"/> PRT - Portugal |
| <input type="checkbox"/> EST - Estonia | <input type="checkbox"/> ROU - Romania |
| <input type="checkbox"/> FIN - Finland | <input type="checkbox"/> RUS - Russian Federation |
| <input type="checkbox"/> FRA - France | <input type="checkbox"/> SMR - San Marino |
| <input type="checkbox"/> GBR - United Kingdom | <input type="checkbox"/> SRB - Serbia |
| <input type="checkbox"/> GEO - Georgia | <input type="checkbox"/> SVK - Slovak Republic |
| <input type="checkbox"/> GRC - Greece | <input type="checkbox"/> SVN - Slovenia |
| <input type="checkbox"/> HRV - Croatia | <input type="checkbox"/> SWE - Sweden |
| <input type="checkbox"/> HUN - Hungary | <input type="checkbox"/> TUR - Turkey |
| <input type="checkbox"/> IRL - Ireland | <input type="checkbox"/> UKR - Ukraine |
| <input type="checkbox"/> ISL - Iceland | |

C. Representative(s) of the individual applicant

An individual applicant does not have to be represented by a lawyer at this stage. If the applicant is not represented please go to section E.

Where the application is lodged on behalf of an individual applicant by a non-lawyer (e.g. a relative, friend or guardian), the non-lawyer must fill in section C.1; if it is lodged by a lawyer, the lawyer must fill in section C.2. In both situations section C.3 must be completed.

C.1. Non-lawyer

18. Capacity/relationship/function

19. Surname

20. First name(s)

21. Nationality

22. Address

23. Telephone (including international dialling code)

24. Fax

25. Email

C.2. Lawyer

26. Surname

27. First name(s)

28. Nationality

29. Address

30. Telephone (including international dialling code)

31. Fax

32. Email

C.3. Authority

The applicant must authorise any representative to act on his or her behalf by signing the first box below; the designated representative must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated above to represent me in the proceedings before the European Court of Human Rights concerning my application lodged under Article 34 of the Convention.

33. Signature of applicant

34. Date

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| D | D | M | M | Y | Y | Y | Y |

e.g. 27/09/2015

I hereby agree to represent the applicant in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

35. Signature of representative

36. Date

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| D | D | M | M | Y | Y | Y | Y |

e.g. 27/09/2015

Electronic communication between the representative and the Court

37. Email address for eComms account (if the representative already uses eComms, please provide the existing eComms account email address)

By completing this field you agree to using the eComms system.

D. Representative(s) of the applicant organisation

Where the applicant is an organisation, it must be represented before the Court by a person entitled to act on its behalf and in its name (e.g. a duly authorised director or official). The details of the representative must be set out in section D.1.

If the representative instructs a lawyer to plead on behalf of the organisation, both D.2 and D.3 must be completed.

D.1. Organisation official

38. Capacity/relationship/function (please provide proof)

39. Surname

40. First name(s)

41. Nationality

42. Address

43. Telephone (including international dialling code)

44. Fax

45. Email

D.2. Lawyer

46. Surname

47. First name(s)

48. Nationality

49. Address

50. Telephone (including international dialling code)

51. Fax

52. Email

D.3. Authority

The representative of the applicant organisation must authorise any lawyer to act on its behalf by signing the first box below; the lawyer must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated in section D.2 above to represent the organisation in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

53. Signature of organisation official

54. Date

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| D | D | M | M | Y | Y | Y | Y |

e.g. 27/09/2015

I hereby agree to represent the organisation in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

55. Signature of lawyer

56. Date

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| D | D | M | M | Y | Y | Y | Y |

e.g. 27/09/2015

Electronic communication between the representative and the Court

57. Email address for eComms account (if the representative already uses eComms, please provide the existing eComms account email address)

By completing this field you agree to using the eComms system.

Subject matter of the application

All the information concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the six-month time-limit laid down in Article 35 § 1 of the Convention must be set out in this part of the application form (sections E, F and G). It is not acceptable to leave these sections blank or simply to refer to attached sheets. See Rule 47 § 2 and the Practice Direction on the Institution of proceedings as well as the "Notes for filling in the application form".

E. Statement of the facts

58.

On December 2, 2019, I lodged an appeal at the court "Council of State" against a decision of the court "Noord-Nederland" dated November 22, 2019 with case number LEE 16/4977. A notice of accusation (in Dutch: "waking") has also been lodged in this appeal, as required by law for this legal remedy. The registry of the Council of State created a dispute. Suddenly, a court decision of the Council of State with case number 201908656/02 / A2 appeared on April 8, 2020.

It has been reported in the footer that appeal of resistance is opened against the decision.

I appealed against the sudden judgment, the secret litigation, the content of the decision and the false statement or lie about me and lodged the notice of resistance on April 27, 2020 by fax and empathic addressed to the King of the Netherlands, being the authority that is referred to in Article 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: ECHR).

After this I heard nothing anymore.

F. Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments

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|---|---|
| <p>61. Article invoked Article 6 and 13 and 17 each solely and also in their mutual cohesion.</p> | <p>Explanation (1) Disappearance of the notice of resistance The deliberate disappearance (again) of my notice of resistance is a fundamental crime of the court. Because in civil matters one can scarcely conceive of the rule of law without there being a possibility of having access to the courts (case <i>Golder v. United Kingdom</i>, 21 February 1975, § 34, last sentence).</p> <p>Article 6 (ECHR) contains the "right to a court", which in civil matters is the right of access and to institute proceedings before courts; Because the fair, public and expeditious characteristics of judicial proceedings are of no value at all if there are no judicial proceedings (case <i>Golder v. United Kingdom</i>, February 21, 1975, § 36, fourth sentence). The Court considers that Article 6 (1) secures to everyone the right to have any claim relating to his civil rights and obligations brought before a court or tribunal. This "right to a court", of which the right of access is an aspect, may be relied on by anyone. (case of <i>Platakou v. Greece</i>, 11 January 2001, § 34).</p> <p>The principle whereby a civil claim must be capable of being submitted to a judge ranks as one of the universally "recognized" fundamental principles of law; the same is true of the principle of international law which forbids the denial of justice. Article 6, § 1 (art.6-1) must be read in the light of these principles (case <i>Golder v. United Kingdom</i>, 21 February 1975, § 35, second text part)</p> <p>(2) It is an accused court and the decision does not mention anything about this. In accordance with Dutch law, this court and its judges also have been accused and have solidly grounded, with compelling evidence of the facts, accused of perjury and other crimes. The legally required performance of this procedure has not been done. The decision does not mention anything about the been lodged of the notice of accusation (in Dutch: "waking") and also nothing about why the legal process was not carried out. As a legal result of the accusation, this court and its judges instantly became legally unauthorized and remained unauthorized. Moreover, and also in accordance with Dutch law, because there is no defence, the facts and allegations must be established as true.</p> <p>(3) False statement or lie Furthermore, without legal basis there is false declared or lied about me. The ECHR has provided protection against this by requiring a fair, public hearing by an impeccably qualified judge (Case <i>B. and P. v. United Kingdom</i>, April 24, 2001, § 36, first sentence). So that assertions are verified. Furthermore, it has been falsely declared or lied that not the registry of the Council of State but another party is my opposite party in the secret legal process. The European Court of Human Rights (hereinafter: the Court) states that national law must be sufficiently clear in its terms to give citizens an adequate indication as to the circumstances in and conditions on which public authorities are empowered to resort to nay such secret measures (case <i>Halford v. United Kingdom</i>, § 49, 3rd and 4th sentences). National law also includes the determinations of the judge guaranteed by the ECHR.</p> <p>(4) The forbidden sovereign will of every Dutch court The practice-based proven facts above reconfirm that the Dutch Contract Party and therefore also the Dutch courts and tribunals or judges classify the conduct or the actions at their discretion to exclude the operation of the fundamental clauses of article 6 (ECHR). So that the courts, tribunals or judges are able to make the application of these provisions of the ECHR subordinated to their sovereign will while this is incompatible with the object and purpose of the Convention (case <i>Öztürk v. Germany</i>, 21 February 1984, § 49, last sentence; <i>Engel and Others v. United Kingdom</i> 1976, § 81, last sentence; <i>Campbell and Fell v. United Kingdom</i> 1984, § 68).</p> |
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Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments (continued)

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|---------------------|--|
| 62. Article invoked | <p>Explanation</p> <p>(5) Officials at courts and judges take the ECHR as their intention. The Court moreover reiterates that the requirements of Article 13 (ECHR) and of the other provisions of the Convention take the form of a guarantee and not of a mere statement of intent or a practical arrangement. This is one of the consequences of the rule of law, one of the fundamental principles of a democratic society, which is inherent in all the articles of the Convention. The Court has further pointed out the risks involved in a system where stays of execution must be applied for and are granted on a case-by-case basis (case AM v. Netherlands, 5 July 2016, § 63). So also, the appeal of resistance remedy is not an effective remedy because it does not suspend the closing of access of any claim to the court guaranteed by the ECHR.</p> <p>(6) First of all, there must first be a court and tribunal or judge that meets the requirements of art. 6-1</p> <p>Article 6, § 1 (art. 6-1) secures that everyone has the right to lodge any claim relating to his civil rights and obligations to a tribunal. This "right to a court", of which the right of access is an aspect, may be relied on by anyone who considers on arguable grounds that an interference with the exercise of his civil rights is unlawful and complains that he or she has not had the possibility of submitting that claim to a tribunal meeting the requirements of Article 6, § 1 (Platakou vs Greece case, § 34, second sentence)</p> <p>Here the analogy with the Golder v. the United Kingdom case, February 21, 1975, § 34, last sentence: Because in civil matters one can scarcely conceive the rule of law without there being a possibility of having access to fair, impartial, independent and impeccably qualified courts and tribunals or judges.</p> <p>(7) The public has sole empowerment for scrutiny of judicial decisions</p> <p>Everyone has the right to a public hearing of his case. The judgment shall be pronounced publicly. In this regard, the Court has referred to the object pursued by Article 6, § 1 (Article 6-1) in this context, namely to ensure scrutiny of the judiciary by the public with a view to safeguarding the right to a fair trial. (case Campbell and Fell v. United Kingdom case, 28 June 1984, § 91). With this, the Contracting Parties have provided the protection by stopping legal proceedings at a court of first instance (case De Cubber v. Belgium, 26 October 1984, § 32) that meets the requirements of article 6, § 1 (case Platakou vs Greece, § 34, second sentence) and is otherwise impeccably qualified.</p> <p>(8) The ECHR is an EU Contract and wakes up the Agreements Rights</p> <p>The ECHR is an ordinary contract with the Contracting Parties on the one hand and with everyone on the other (Article 1 ECHR). As a result, lodging an appeal is nothing else, nothing more and nothing less than a notice of default, so that the State is given the opportunity to prevent or put right Convention violations through their own legal system. (case A.M. v. the Netherlands, 5 July 2016, § 95). I am both a member of and a participant in the public. I claim my rights and empowerments.</p> <p>(9) The role of the Court</p> <p>The model of practice and the driving force for or of the behavior and actions above is the Court. So the judge with a high moral capacity not serve in the Court, which is why I accuse every judge equal to the Dutch legal remedy "waking". Due to insufficient space in this form, I continue in the web dossier, also for the public, at the URL "www.de-openbare-zaak.nl". In the section "Court Trials to the public" in English, continues this declaration / notice of default and the web dossier included the Dutch section, the international section in English and de section "Court Trials to the public" is or are inextricably linked to this form.</p> |
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- Please ensure that the information you include here does not exceed the pages allotted -

I. List of accompanying documents

You should enclose full and legible copies of all documents. No documents will be returned to you. It is thus in your interests to submit copies, not originals. You MUST:

- arrange the documents in order by date and by procedure;
- number the pages consecutively; and
- NOT staple, bind or tape the documents.

70. In the box below, please list the documents in chronological order with a concise description. Indicate the page number at which each document may be found

| | | | |
|-----|--|----|---|
| 1. | The decision of "de Raad van State" April 8, 2020, casenumber 01908656/02/A2. | p. | 4 |
| 2. | The faxsession report of the lodged appeal of resistance. | p. | 1 |
| 3. | Inextricably linked to this form but not physically enclosed is the follow-up document of this form in the web dossier at URL "www.de-openbare-zaak.nl", in the section "Court Trials to the public" : | p. | |
| 4. | The follow-up document of this form with document title "The European Court for Human Rights versus the public, Case: breach of contract and notice of default." | p. | |
| 5. | Subsequently, the scrutiny and judgment "European Court for Human Rights versus the public, Case: decision of not-admissible" | p. | |
| 6. | The scrutiny and judgment "The President of the European Court for Human Rights versus the public, Case: the powerlessness of the Human Rights" | p. | |
| 7. | Furthermore, the web dossier at the URL "www.de-openbare-zaak.nl", section "Court Trials to the public", which can be downloaded 24 hours of each day for later study. | p. | |
| 8. | The web dossier at the URL "www.de-openbare-zaak.nl", international section in English, which can be downloaded 24 hours a day for later study. | p. | |
| 9. | The web dossier at the URL "www.de-openbare-zaak.nl", section in Dutch, which can be downloaded 24 hours a day for later study. | p. | |
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Revision v2

This documents suffers revised elaborations until
the Court equalises to all judging authorities and lives up to the ECHR's author

The loss of jurisdiction of the Court

The fundament of violations

The Court allows the Dutch courts or judges to delete whatever they dislike in a lodged claim of an individual citizen up to delete even complete litigation documents. Also allows the Court to be lied to and to be cheated by the Dutch courts by means of classifying lies and cheats as interpretation. The Court refuses to recognise perjury by Dutch judges. In contrast does the public scrutiny determine about what is lied. Additionally does the public scrutiny determine that it is cheated by or in the decision with wrong statements and lacks in used law articles or applied rights. This divergence between the Court and the public scrutiny is a prohibited inequality and a basic crime.

Because the deleting, allowing, discrimination, inequality and the verifiable fact that no guaranteed judge serves at the Court (*see the introduction*) is each judge accused and has the Court up to nowadays lost empowerment and jurisdiction. This does not change the ECHR contract or the by this contract supplied possession of rights to everyone.

The president of the Court is forced to fulfil each civilian's right to just and qualified judges with a high moral character (*Case of The President of the European Court for Human Rights versus the public, Case: "the powerlessness of the Human Rights", at "www.de-openbare-zaak.nl", in section "Court Trials to the public"*). Each determined violation is welded-in at this place and repeated in total. Unfortunately has the president up to nowadays nothing put right and prevented from happening again (*Rules of Court, Rule 9 and further*). Until this repair, remains each of the judges accused with the following grounds.

(10) By the denial of justice

The Court decides to inadmissibility which surely is the denial of justice. The principle of international law forbids the denial of justice (*Case of Golder v. the United Kingdom, 21 February 1975, §35*). The public earlier scrutinised, judged and condemned one of these decisions (*Case of European Court for Human Rights versus the public, Case: "decision of not-admissible", at "www.de-openbare-zaak.nl", in section "Court Trials to the public"*), because these do not at all meet the requirements to ensure sufficient public scrutiny (*Case of Campbell and Fell v. the United Kingdom, 28 June 1984, §91*). Each determined violation in the case of the Court versus the public is welded-in at this place and repeated in total.

Always a violation

Each decision of inadmissibility is always a violation of the Human Rights. The lodged claim submits the evidence of repeating violations by a State. If not then the claim submits the evidence that the national law is not sufficiently clear in its terms of Human Rights or the protection of Human Rights (*Case of Halford v. the United Kingdom, 25 June 1997, §49*). The principle whereby a civil claim must be capable of being submitted to a judge ranks as one of the universally "recognised" fundamental principles of law (*Case of Golder v. the United Kingdom, 21 February 1975, §35*). Provided that this judge meets the guaranteed qualifications and has a high moral character.

Deletion of disliked facts or documents

Here repeated: With the decision of inadmissible deletes the Court and each other court, instantly and in silence each of all the documents and each of all submitted facts. This also destroys scrutiny by the public and is thus always a double violation of the Human Rights.

Discrimination on any ground

The Court reiterates that in accordance with its settled case-law (...) (*Case of Van Orshoven v. Belgium*, 25 June 1997, §33). This reiteration and the later occurrences surely discriminate on any ground, the lodged cases that the Court decides inadmissible (*article 14, ECHR*) with a view to article 35, §2, sub b, ECHR. This decision "inadmissible" disguises that the single deciding judge dislikes submitted facts, case or even the litigant (*article 27, ECHR*).

The ECHR prescribes that this inadmissible decision is final (*article 27, §2*) and shall be published (*article 44, §3*). By this is the public empowered to scrutinise the Court's inadmissible judgments (*Case of Campbell and Fell v. the United Kingdom*, 28 June 1984, §91). The extremely poor reasoned inadmissible decision destroys the public scrutiny and is discriminated from the sufficient reasoned examined cases.

The decisions of inadmissible are application of article 35 controls the access to the Court and its judge(s) which is subordinated to the sovereign will of the Court (*Case of Engel and Others v. the Netherlands*, 8 June 1976, §81) and this is (done by a court) a fundamental crime. Also because article 6, §1 ensures to everyone the right to have any claim in relation to his civil rights and obligations brought before a court or tribunal (*Case of Golder v. the United Kingdom*, 21 February 1975, §36).

(11) By the abuse of interpretation

One of all cases of the abuse in the scope of independency:

The Court interpret article 6, §1, ECHR in a case and states that the necessary institutional independence not exists when the judging authority's members did not appear to be irremovable (*Case of Campbell and Fell v. the United Kingdom*, 28 June 1984, §77). The Court interpret article 6, §1, ECHR in another case and states that the court's members doubtless are not irremovable in law but they enjoy the independence inherent in the Convention's notion of a "court" (*Case of Engel and Others v. the Netherlands*, 8 June 1976, §68).

One of all cases of the abuse in the scope of court levels:

The Court interpret article 6, §1, ECHR in a case and states that article 6, §1 (art. 6-1) concerns (primarily) courts of first instance (*Case of De Cubber v. Belgium*, 26 October 1984, §32). The Court interpret article 6, §1, ECHR in another case and states a highest court (*Case of Delcourt v. Belgium*, 17 January 1970, §19) and lower courts (*Case of Delcourt v. Belgium*, 17 January 1970, §25)

The destroyed term "interpretation"

The signatory governments (hereafter: the ECHR's author) who are in fact the author of the ECHR, attest their awareness of the difference between interpretation (*inter alia article 28 or 32, both ECHR*) and opinion (*inter alia article 6, §1 or article 45, both ECHR*). Nevertheless express the Court its (unanimous) opinion and falsely name or apply this as interpretation.

The public scrutiny establishes that an interpretation always aims to another's expression and an opinion is always one's own expression. The destroyed term "interpretation" is further elaborated in paragraph 16.

(12) By the abuse of independency

The Court points out that in principle it is not its function to compare different decisions of national courts, even if given in apparently similar proceedings; it must, just like the Contracting States, respect the independence of the courts (*Case of Engel and Others v. the Netherlands*, 8 June 1976, §103).

The destroyed term "independence"

The ECHR's author attests its awareness of the intrinsic compressed status of the noun and term independence. The author establish in article 6, §1 that independency and announced publicly (this appoints the public scrutiny) have nothing in common. Each is separately equal necessary to observe the object and purpose of the ECHR and its article 6, §1. Nevertheless expresses the Court its (unanimous) opinion (*see paragraph above*) and falsely exercise independency and non-scrutiny as the same and thus instantly pretend falsely an internal combat in article 6, §1.

The destroyed term "independence" is further elaborated in paragraph 17.

(13) By intolerable unfairness

In fair-play the involved persons or groups interact according to rules that are known beforehand. The sole essence of a law is that it results effect after it comes into power. The tribunal's or judge's opinion is always afterwards. And these are beforehand unpredictable, since some years ago (*see §11, above*). While a claim or dispute always exists before a litigation is instituted (*Case of Golder v. the United Kingdom, 21 February 1975, §36*). So, the decision that is the tribunal's or judge's opinion (whether or not disguised as interpretation) is always indisputably intolerable unfair.

(14) First of all there must be the guaranteed court and judges

Due to violating by denial of justice (§10, above) enlarged with the abuse of interpretation (§11, above) all enlarged with the abuse of independency (§12, above) all enlarged with the intolerable unfairness (§13, above) makes already that the Court lawfully lost any empowerment and jurisdiction (*article 17 and 53, ECHR*).

So before any lawful and just judgment is made about admissibility does everyone already posses the Human Right to have first of all access to a court and judges that meet at the least the requirements of article 6, §1 or 21 (*ECHR*). This right is analogue to the reason for existence of access to a court before a proceeding is instituted (*Case of Golder v. the United Kingdom, 21 February 1975, §34*) or the reason for existence of a claim prior to the legal proceedings (*Case of Golder v. the United Kingdom, 21 February 1975, §32*). This existence of a court and judges is not the formal or the institutional but aims the appointed persons.

(15) General round up

The paragraphs above compile evidence that the supervision of courts is absence and self-cleaning power in the system of courts is absent.

Accountability of the Court

Because the ECHR is an ordinary contract, the Court works under Agreement Rights and the valid rules of the Agreements Rights are provided in each national law. This ECHR contract is made with well thought words and with foreseeing by persons who bodily experienced the barbarous acts resulted from rebellion. There is no alternative then live up to the ECHR contract and to prohibit drifting away. The many court trials that are instituted are evidence of a bad job in supplying the Human Rights and the protection of these. In which bad work the Court has a very significant part.

Oversize of power, costs, discrimination or injustice

A great part is that not one (1) judgment is made for everyone. Another great part is that not one (1) judgement is made all equal cases in a class. Another great part is that a significant number of abuses of interpretation are made often in separate judgments. Then

another great part is the significant number of allowed violations by the abuse of the independency of courts with each their own judgment. Another great part is caused by the support of repeatedly violating by national courts provoked by a great number of inadmissible decisions. Another great part is provoking iteration of national proceedings by deletion of facts or documents with inadmissible decisions. When these parts are summed up a lot of work is simulated that is deliberately created by violating the Human Rights or the principles of international law and is only the Court and national courts to blame.

The courts' and judges' business model

This manner (*see preceding paragraph*) of work acquisition is discrimination, violating the legal unity and legal certainty and the prohibited being engaged in activity aimed at the destruction of any of the rights and freedoms set forth in the ECHR (*article 17, ECHR*). Also are the restrictions permitted under the ECHR applied for another purpose than those for which they have been prescribed (*article 18, ECHR*) and the right to qualified judges with a high moral character is not limited or restricted.

The Court must have reached after approximately 60 years, a significant clarity by true legal interpretations to fill up the gaps in the ECHR and ECHR's articles. Practically is the task and work of interpreting done, except for seldom occurring peculiar gaps. Therefore is the Court fully accountable for not being occupied with the only remaining task to all matters concerning the application of the Convention (*article 32, ECHR*) without any excuse.

(I) Round up: the destroyed foundation for legal unity and legal certainty

The ECHR's author reaffirmed that the foundation of justice and peace in the world are the fundamental freedoms and these fundamental freedoms are best maintained by a common understanding and observance of the Human Rights upon which they depend (*preamble ECHR, third cogitation*). This statement is one of the principles of international law that this establishes as the requirements "unity of the legal order" and "legal certainty" (*European Court of Justice, case C-314/85, paragraphs 15 and 17, Foto-Frost*).

The Court interpret article 6, §1, ECHR in a case and states that article 6, §1 (art. 6-1) concerns (primarily) courts of first instance (*Case of De Cubber v. Belgium, 26 October 1984, §32*). In combat with this first step of unity and certainty is here repeated (*see paragraph above "abuse of interpretation"*): The Court interpret article 6, §1, ECHR in another case and states a highest court (*Case of Delcourt v. Belgium, 17 January 1970, §19*) and lower courts (*Case of Delcourt v. Belgium, 17 January 1970, §25*). Because the unity of the legal order is not erected by levels of courts with one (1) highest court that dictates pseudo legislation for the judicial hierarchy and then excludes itself from these. This judicial hierarchy is a new appearance of the ages old dictatorship, tyranny and oppression. In particular the power by courts to bring each other outside judgement and illegally ignore the public scrutiny and illegally ignore the ECHR's author is a characteristic of autocratic dictatorship.

The disunity and uncertainty increases with the Court's attest by its ever changing opinion about the never changing ECHR or about the never changing ECHR's articles. With every new formed chamber changes the unanimous opinion on an explanation of an article (*for example Case of Sutter v. Switzerland, 22 February 1984, page: 12*). And this involves on only one (1) court. For everyone's suffering must this one court's violations at the least be multiplied by the levels of courts and the number of courts in each level.

(II) Round up: the unity of millions individual members in the public scrutiny

The article 6, §1 excluded the press from the public. Further confesses and confirms the Court the purposes of the publicity requirements in article 6, §1 would be defeated if restricted to cases of special interest (*Case of B. and P. v. the United Kingdom, 24 April 2001, §34*). The Court recalls that Article 6, §1 of the Convention provides that "everyone

is entitled to a fair and public hearing" (*Case of B. and P. v. the United Kingdom, 24 April 2001, §36*). The court recognises that the second sentence does already contain a detailed list of express exceptions (*Case of Campbell and Fell v. the United Kingdom, 28 June 1984, §90*). The judges Cremona, Ganshof, Van der Meersch, Walsh and MacDonald cogitated that the public knowledge of court decisions cannot be secured by confining the knowledge to a limited class of persons (*Case of Sutter v. Switzerland, 22 February 1984, page: 12*). To which the judge St. Nicolas Brazka added that a restricted access to judgments i.e. restricted only to persons who could establish an interest to the satisfaction of a court official, falls short of what is required by the public scrutability (*Case of B. and P. v. the United Kingdom, 24 April 2001, blz.: 16*).

With notice that each single member of the public scrutiny scrutinises equal to and in unity with all others by observing the ECHR's author's cogitation, object and purpose with the ECHR or the involved ECHR's article and interpret within these boundaries. Due to the unity is the public scrutiny also a group of individuals as mentioned in article 34, ECHR and is each member empowered by this unity to stand up for the public scrutiny.

(III) Round up: the equalizing power of Human Rights

The foundation of justice and peace is the inherent dignity of equal an inalienable rights (*preamble UN's Declaration, first cogitation*). This founds the **equalizing** power of the Human Rights. The Human Rights equalise, so impossibly turn over roles or become on a top and do not change anything to the instituted authorities or the appointed persons' capacity but (repeated) equalises each oversize of power. If a difference in power (between a private civilian and a business or authority) is executed then the Human Rights are absent.

(IV) Round up: the unequal level between the Court and the public scrutiny

The Court confesses and confirms that the object pursued by article 6-1, ECHR is to ensure the public scrutiny of the judiciary by the public (*Case of Campbell and Fell v. the United Kingdom, 28 June 1984, §91*). In spite of the Court's statement about independency (*see paragraph 12 above*) does the Court examine and judge national courts' judgments (*see paragraph 17 below, sub-paragraph "Unacceptable and intolerable independence", second phrase*). Because the requirements of publicity, does equally the public scrutiny examine and judge the same judgements and even those of the Court that are published (*article 44, §3, ECHR*). Thus is any level impossible between the Court and the public scrutiny. All this to have man not be compelled to rebellion (*preamble UN's Declaration, third cogitation*).

(V) Round up: the destroyed foundation for justice and peace

Ignoring the public scrutiny, which is a Human Right, in particular by any court does surely start up rebellion that also surely escalates way up to barbarous acts. Until respect is restated for the public scrutiny's results and judgments and these are elaborated in the executing of servicing each individual.

Here repeated: One fundament of the defining Human Rights and Fundamental Freedoms is the empiric wisdom that freedom, justice and peace are founded on the inherent dignity, the equality and inalienable rights. These rights are of all members of the human family (*preamble UN's Declaration, first cogitation*).

Disturbing the equality is destruction of justice and peace

Ignoring the public's scrutiny of the judiciary by the Court disturbs the equality. Similar is to allow Dutch courts and their judges a disturbance of the equality. These disturbances destroy justice and then the injustice and discrimination destroys the peace. Here recalled: Injustice and discrimination make members in the public (very) angry and provoke rebellion against tyranny and oppression. This is emphasized because the public determine about what is lied and additionally that is cheated and that any court allows this to happen.

Each disturbance of the equality is a serious crime against the Human Rights, the justice and the peace. Analogue to the corollary in the case of Engel and Others v. the Netherlands, 8 June 1976, §81 a latitude extending thus far might lead to results incompatible with the purpose and object of the Convention.

(VI) Executability of this public scrutiny

Due to the equalizing power of the Human Rights and the protection of these rights does the public in Europe have the same scrutiny and judgmental power as the Court. Caused by the lack of self-cleaning power inside the Court and inside the Dutch courts remains the public's scrutiny as the only left over. Inside the legal public scrutiny is impossibly any discrimination, so each member has the equal power as the Court, providing that the ECHR's author's cogitation, object and purpose is observed with (or in) the scrutiny. This observes the condition of unity in the legal order and the condition of legal certainty.

The in this document referred interpretations of the Court which protect the Human Rights and Fundamental Freedoms, do never discriminate and are herefore impossibly valid for only that one examined case. Each interpretation that protects the Human Rights and Fundamental Freedoms is valid for everyone in Europe and executable at (or in) any place in Europe without a new interference of any judge for a court-order.

Notice of default again

Due to the contractual supplied Human Rights and Freedoms these became possession of everyone and these are unalienable. These rights are impossibly to weave into a trade or into any financial economics. Because of the possession it is impossible to apply for these at the Court. Each submitted form to the Court is a notice of default and the Court is obligate to repair and prevent. Each individual has knowledge beforehand of his rights and the theft of these. Here repeated again: justice must not only be done: it must also be seen to be done" (*Case of Campbell and Fell v. the United Kingdom, 28 June 1984, §81*).

The president knows the measures to take for repairing the damages and explicitly I ask for the court-order to the Dutch King to stop with perjury and execute his obligation with the by me asked King's decision.

(VII) Finally, the president's obligatory decision

The president has tasks and functions in or at the Court (*Rules of Court*) in which work the making of decisions is included. Earlier are violations by the Court and claims submitted to the president (*see "www.de-openbare-zaak.nl", section "Court Trials to the public" in English, item 03*). These matters also must be decided on.

Putting right and prevent from repeating

The Court confessed and confirmed that the Contracting States (*Case of Engel and Others v. the Netherlands, 8 June 1976, §103*) must have the opportunity to prevent or put right Convention violations through their own legal system (*Case of A.M. v. the Netherlands, 5 July 2016, §95*). Because also the Court works under Agreements Rights and the rules of fair play must also the Court have the opportunity to prevent or put right Convention violations through their own legal system. So, the public demands that the President uses this opportunity solidly and succeed within a reasonable time and retroactive from the date the ECHR came into power.

Correct interpreting

To interpret has the intrinsic object "inter" and "pretium" (*Etymologisch Woordenboek van het Nederlands, M. Philippa, F. Debrabandere, A. Quak, T. Schoonheim en N. van der Sijs (2003-2009), Amsterdam*). From late latin translated as "between" and "estimate the worth". The ECHR's author foresaw (*see preceding paragraph*) that in the description of the protection may occur

gaps trying to compress compiled rights and these gaps need to be interpreted. So, the public scrutiny recognise true interpreting by the dependency on the expression's author, using its quotes, cogitations, considerations and it assimilates with the author's object and purpose. While opinions are recognised by the expressed totally own personal thinking.

The ECHR's author did already attest its full awareness with writing (*see paragraph 11, subparagraph "The destroyed term "interpretation", above*). This author delegates the exercise of interpreting and applying to the Court and not to the Vienna Convention or its author.

(IX) Accountability of the president

With the notice that the President's and his Court's breach of contract mainly due to a failure of repair and prevent, is the legal ground for nowadays people's rebellion escalating up to barbarous acts. This rebellion is solely the President's accountability and secondly the Court's accountability.

(16) The destroyed term "interpretation" further elaborated

To interpret in the manner that the Court uses is similar and equivalent to an absolutely total destruction of the freedom of expression. What someone expresses is exchanged by another one's 'interpretation'. This exchange is common behaviour at the Dutch courts and by the Dutch judges: the judge replaces my submitted facts and circumstances by his 'interpretation'. The Court's and Dutch courts' fantasy is one of the causal connected matters of this proceeding at the Court.

The lying or cheating named 'interpreting'

The Court interprets that it cannot examine Dutch court's judgments (*see paragraph 12*). On the contrary does the Court scrutinise court's judgment (*Case of B. and P. v. the United Kingdom, 24 April 2001, §40*) and does scrutinise the national law (*Case of Engel and Others v. the Netherlands, 8 June 1976, §100*). The Court's manner of interpreting provokes or supports the lying to and cheating of the public scrutiny and remote authorities like the Court itself (*see paragraph 12 above*). Also the cogitation, object or purpose of the ECHR's author is replaced by the Court's opinions under the name of 'interpretation'. Each or both exhibited cases (*see paragraph 11*) are evidence of maladjusted own, ever changing opinions and the resulting in disunity, uncertainty and intolerable unfairness. These discriminations are grounded on not-impartial private likes and dislikes of facts, cases or litigants. The Court's manner of interpreting is ignoring everyone up to the legislator and ignoring everything up to the laws.

The detection of "interpreting" or is elaborated in paragraph VII.

The ignoring and disgrace of the expression's author

The Court confessed that it is prepared to consider, as do the Government and the Commission, that it should be guided by Articles 31 to 33 of the Vienna Convention of 23 May 1969 on the Law of Treaties (*Case of Golder v. the United Kingdom, 21 February 1975, §29*).

The Court attests a huge scorn for the ECHR's author or a huge scorn for the ECHR as the ECHR's author's expression by the choice for the Vienna Convention's author. By ignoring the ECHR's author the Court also attests one of the deepest violations against the ECHR's author's freedom of expression or else each public scrutiny's member's fundamental right to receive the ECHR's author's information and ideas without interference by public authority (like the Court) and regardless of frontiers (*article 10, §1, ECHR*).

The violating in spite of surely knowing

On top of this states the Court that for the interpretation of the European Convention account is to be taken of those Articles subject, where appropriate, to "any relevant rules of the organization" - the Council of Europe - within which it has been adopted (*Case of Golder v. the United Kingdom*, 21 February 1975, §29). So, the Court must definitely know that the ECHR's author is the solely organization within which the ECHR is adopted and the Court surely knows this organization is impossibly the present governments.

The ECHR's author's cogitation and considerations are known

The Court states its access to Documents of the Consultative Assembly, (inter alia the) working papers of the 1950 session, Vol. III, no. 93, p. 982, para. 5 (*Case of Golder v. the United Kingdom*, 21 February 1975, §35). The Court confesses and confirmed the knowledge that the in 1950 formed Legal Committee of the Consultative Assembly of the Council of Europe foresaw (inter alia) in August 1950 many issues (*Case of Golder v. the United Kingdom*, 21 February 1975, §35). Also attests the Court to have access to all these documents of the ECHR's author cogitations and considerations on the object and purpose of the ECHR and ECHR's articles.

(17) The destroyed term "independence" further elaborated

The public scrutiny establishes that independence and no scrutiny have nothing the same. World-wide is known that independency is nothing more and nothing less than the absence of authority (like the employer's authority) to directive or if need to compel one to do, say or write even what one does not want to do, say or write.

The Court surely knows the nonsense

The Court surely knows that in case the national courts treat the Court's judgments similar and ignore its contents disguised as the Court's independence, then the Court is totally unnecessary and useless. The national courts and its independent judges do indeed ignore and deletes every disliked judgment or reasoning. The Dutch courts' independency to ignore or delete my facts, circumstances or even documents is one of the causal connected matters of this proceeding at the Court. Only the public scrutiny's member(s) cannot be lied to, cheated or fooled.

Independency is for the Court undetectable by means of interpretation

The Court interpreted article 6, §1 in a case that independency requires irremovability and in another case not-irremovable members enjoy independency (see §11, above). The public scrutiny establishes that an independent tribunal is a private claim (*Case of Bentham v. the Netherlands*, article 34, ECHR; 23 October 1985, page 16) and can impossibly be a claim by any court or Contracting State that is obligated to contractually supply this.

The dictatorship and suppression

The Court, the Contracting States and the national courts bring each other outside the rule of law disguised as "independency" (see paragraph 12). The power over others to bring oneself outside judgment characterises an autocratic dictatorship and suppression.

Unacceptable and intolerable independence

The Court reiterates that it is not its task to take the place of the domestic courts. It is primarily for the national authorities, notably the courts, to resolve problems of interpretation of domestic legislation (*Case of Platakou v. Greece*, 8 June 1976, §37). This is not consonant with article 32, §1, ECHR.