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<name>
- **personally** -

sent in advance by email

<position>
European Court of Human Rights
Council of Europe
67075 STRASBOURG CEDEX
FRANCE

Vaterstetten, December 20, 2021

Mailing list (<position><name>)

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Subject: **Breach of the European Convention by the ECHR**
Case of Rüter v. Germany
(Application no. 52128/21)

Dear <Mr./Mrs.> <position> <name>,

Breach of the European Convention by the ECHR:

My application no. 52128/21, duly submitted to the registrar on October 21, 2021, was declared "inadmissible" on December 9, 2021 by the Swiss judge Andreas Zünd in a single judge assessment due to alleged non-compliance with the criteria according to Articles 34 and 35 of the Convention. As a justification, the judge Andreas Zünd made particularly bold and obviously “intentionally untrue statements” and thus

willfully denied the complainant his right
to lodge an **Individual Application under Article 34 of the European Convention**.

The proof of the **willful breach of the European Convention by the single judge Andreas Zünd** with reference to my Application Form can be found in the Appendix.

Root cause analysis:

The disregard of the European Convention by the Federal Republic of Germany is to a certain extent the internationally visible result of

the state-organized fraud that has persisted for 17 years
to over 6 million citizens of the Federal Republic of Germany
with a current amount of fraud of approx. 30 billion Euros
on the basis of perversion of the law (according to German law a crime) and constitutional breach and the criminalization of the German judiciary
systematically implemented to establish this fraud.

Just after reading pages 5 to 7 of my Application Form, it is obvious that the Social Democratic Party of Germany played and continues to play a decisive role in the establishment and implementation of this mass fraud, and that the now-elected new Chancellor of the Federal Republic of Germany, Olaf Scholz, played a prominent role in this.

The question arises: Why, for what motive is the Swiss judge Andreas Zünd lying so obviously and so blatantly and in whose interests he is breaking the European Convention?

The answer can be found by looking a little at the recent past of Andreas Zünd (Neue Zürcher Zeitung, 26.01.2021 „Glänzender Jurist und Reizfigur für die SVP – die Schweiz hat wieder einen Richter in Strassburg“):

*„Die Tatsache, dass mit Zünd nun ein ehemaliger Bundesrichter an den EGMR kommt, hat allerdings auch eine andere, eine **politische Komponente**. Denn Richterinnen und Richter gehören in der Schweiz in der Regel einer **politischen Partei** an. **Zünd ist Mitglied der SP** [SP = Sozialdemokratische Partei der Schweiz] […]. Ohnehin hat man außerhalb der Schweiz wenig Verständnis dafür, dass **Richterinnen und Richter einer politischen Partei angehören**. Die Staatengruppe des Europarats gegen Korruption (Greco) hat die **Schweiz in der Vergangenheit schon mehrfach** für ihr System **kritisiert**. Aus innenpolitischer Sicht ist die Parteizugehörigkeit allerdings durchaus von Bedeutung. […] Der Aargauer Zünd war bis anhin Mitglied der zweiten öffentlich rechtlichen Abteilung – ausgerechnet jenes Gremiums, das am meisten für politischen Zunder sorgt. **Abteilungskollegen warfen Zünd schon öffentlich vor, seine Rechtsprechung sei aktivistisch und politisch motiviert**.“*

(translated by Rüter:)
*The fact that with Zünd a former federal judge is now coming to the ECHR, however, also has another, a **political component**. Because judges in Switzerland usually belong to a political party. **Zünd is a member of the SP** [SP = Social Democratic Party of Switzerland] […]. In any case, outside of Switzerland there is little understanding that **judges belong to a political party**. The group of states of the Council of Europe against corruption (Greco) has criticized **Switzerland several times** for its system **in the past**. From a domestic political point of view, party affiliation is definitely important. […] The Aargauer Zünd was previously a member of the second public law department - of all things, the body that causes the most political turmoil. **Department colleagues have already publicly accused Zünd of his jurisprudence being activist and politically motivated**.*

The Swiss judge Andreas Zünd can't help it. He has again confused his task of finding the law and jurisprudence with the pursuit of party politics.

> **The Swiss ECHR single-judge and the member of the Social Democratic Party of Switzerland Andreas Zünd broke Article 34 of the European Convention in "administrative assistance" to protect the Social Democratic Party of the Federal Republic of Germany and its newly elected Chancellor Olaf Scholz against a complaint before the ECHR regarding the breach of Article 6 § 1, Article 13 and Article 1 of Protocol No. 1 of the European Convention, which has now been going on for at least 15 years.**

Regardless of the fact that the act has been committed in the name of the European Court of Human Rights is limited to the single judge as a single perpetrator, it remains **your urgent task** to clarify how it could happen that my complaint was submitted to a single judge (see your leaflet "Your Application_DEU", p. 6/9 - 7/9: THE EXAMINATION OF YOUR APPLICATION - 1. JUDICIAL FORMATIONS). That reminds me very strongly of the illegal conditions at the Federal Constitutional Court of the Federal Republic of Germany (see my application no. 52128/21 document 14: [IG_S10] 20200301 The criminalization of the judiciary associated with the GMG - Part III The Constitutional Court, p. 826 ff).

My expectations:

The application I submitted is not a recurrence; no such application has been submitted to the ECHR. On the one hand, I would almost certainly know about it; On the other hand, due to its size and importance, this would not be overlooked in your ECHR annals (country profile: „CP_Germany_DEU"). I assure you that this case will be permanently burned into the memory of the ECHR if it is processed in accordance with the Convention.

I therefore request that the Application be assigned to a **Chamber of 7 judges** for processing in accordance with the rules of the ECHR. I expect my Application to be properly examined, taking into account all the documents provided. These consist not only of the 1,191 pages attached to the Application Form, but also, if necessary, of the further approx. 10,000 pages of evidence. Of course, I will not give your review any result; However, I expect full compliance with international requirements (Convention) and national requirements (national laws of the Federal Republic of Germany). Please inform me of the chamber president responsible so that I can, if necessary, submit applications that concern the further process (e.g. handling of the extensive evidence written in German).

I then assume that this Chamber of 7 judges will hand over the case to the **Grand Chamber** at an advanced stage. This is not only in my interest, but - given the severity of the allegations made and proven and the importance of the case for the rule of law and democracy throughout the whole EU - in particular also in the interest of the ECHR.

Ultimately, it is about the allegation of the systematic breach of the European Convention by the largest (politically most powerful?) member state of the EU. There is a reason for the unmistakable hesitation of the Merkel Government in condemning the Hungarian and Polish attempts to abolish the rule of law and the judicial independence; In the Federal Republic of Germany, the parties oligarchs did this long ago.

Regarding the handling of the previous "decision" by the Swiss judge Andreas Zünd, I would like to remind you of Article 4 "Incompatibile activities" Paragraph 1 Clause 1 and Article 7 "Dismissal from office" of your ECHR Rules of Court.

It goes without saying that I definitely do not want judge Andreas Zünd to participate in one of these Chambers and that of course the participation of the German judge Anja

Seibert-Fohr would be very inappropriate (https://www.bundesregierung.de/breg-de/service/archiv/archiv-mediathek/videoportraet-anja-seibert-fohr-1805850).

Setting a deadline:

The "E. Presentation of the facts ”in my Application Form doesn't end with the sentence for fun „Now it remains to be seen whether the ECHR has at least the will to provide European aid“.

It is up to you, the presidents and judges of the European Court of Human Rights, whether the authority and position of the Court of Justice as the highest instance of human rights violations in Europe is upheld.

You, the presidents and judges have until **January 31, 2022** to tell me through the President of the ECHR whether you agree with my proposals and my expectations regarding the further course of action.

If you, the presidents and justices of the ECHR, are unwilling to take appropriate action to respond to your own systemic problem then I will see this letter as an OPEN LETTER. You will then find out in a timely manner what I mean by the PUBLIC OF an “open letter”.

Kind regards

(gez)
……
(Dr. Arnd Rüter)

Appendix: Evaluation of the decision by the complainant

Attachements of email:

1) 20211111 Rüter ECHR application form_E Presentation facts_F Indication alleged violations Convention_G Compliance with admissibility_(English translation by Rüter)

   (if the Court‘s Registry has not even provided a translation of the Application Form so far)

2) Original Text des vorliegenden Briefes inklusive Anhang „Bewertung der Entscheidung durch den Beschwerdeführer“ in deutscher Sprache

   (Original text of the present letter including its Appendix „Evaluation of the decision by the complainant“ in German language
   if the president and judges of the ECHR do not want to meet my expectations, it certainly makes sense to be able to fall back on the original text, which was written in my mother language.)

A P P E N D I X

Evaluation of the decision by the complainant (Translation of the German original into English by Rüter).

The text shown in blue is the original text of the decision by the single judge

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DECISION
CASE OF RÜTER v. GERMANY
(Application no. 52128/21)
Introduced on 21 October 2021

The European Court of Human Rights, sitting on 2 December 2021 in a single-judge formation pursuant to Articles 24 § 2 and 27 of the Convention, has examined the application as submitted.

The question is, who decided on the *single judge formation*?

„Your Application_ENG“ (from the EGMR homepage, p. 6/9 – 7/9):
„THE EXAMINATION OF YOUR APPLICATION
1. JUDICIAL FORMATIONS
Once the Court is in possession of all the information it needs to examine your case, your application will be allocated to one of the Court’s judicial formations, depending on the type of case: a single judge, a Committee or a Chamber.
➔ If your application is **clearly inadmissible** because it does not meet all the required admissibility criteria, it will be dealt with by a **single judge**. …“
„➔ If your case is considered to be a repetitive case, which raises an issue on which the Court has already ruled in a number of cases, it will be handled by a **Committee of 3 judges**. …“
„➔ If your case is not considered to be a repetitive case, it will be examined by a **Chamber of 7 judges**. …“
„➔ For your information, no application is ever sent directly before the **Grand Chamber of 17 judges**, but a Chamber may relinquish jurisdiction in favour of the Grand Chamber or a case may be referred to it at a more advanced stage in the proceedings. …“

This someone, before he decided on the *single judge formation*, classified my Application as "**clearly inadmissible**".
If it was someone from the Court‘s Registry,
(who does NOT speak the German language) OR (who does NOT knows the structure of the German jurisdiction),
then the classification as “clearly inadmissible” was the presumption of an ignorant and there is something wrong with the processes in the ECHR for assigning the judical formations.
If the assignment was made by someone from the Court‘s Registry,
(who speaks German OR used a translation of the Application Form in one of the official languages) AND (who knows the structure of the German jurisdiction),
then he just as deliberately made untrue claims (lied), like the judge Zünd (see below)
If the assignment was made by the judge Zünd himself (self-assignment), then
is there something wrong with the processes in the ECHR for assigning the the judical formations. The missing four-eyes principle invites to abuse of office, as follows see.

Judge Andreas Zünd announced that he had examined the application in accordance with *Article 24 § 2 and Article 27 of the Convention*.

> *ARTICLE 24* ***Registry and rapporteurs***
> *1. The Court shall have a Registry, the functions and organisation of which shall be laid down in the rules of the Court.*
> *2. When sitting in a single-judge formation, the Court shall be assisted by rapporteurs who shall function under the authority of the President of the Court. They shall form part of the Court's Registry.*

Even if Judge Zünd had the support of rapporteurs from the Court's Registry, it is inconceivable that these rapporteurs worked through the entire grounds of the Application of 1,191 pages with an extremely large number of legal points in such a short time, possibly even taking into account the underlying 11,000 pages of evidence material behind it, which are barrier-free accessible to the Court (see "Application Form" (hereinafter referred to as **AF**), point 71)

> *ARTICLE 27* ***Competence of single judges***
> *1. A single judge may declare inadmissible or strike out of the Court's list of cases an application submitted under Article 34, where such a decision can be taken without further examination.*
> *2. The decision shall be final.*
> *3. If the single judge does not declare an application inadmissible or strike it out, that judge shall forward it to a committee or to a Chamber for further examination.*

Due to the rapid "processing" after filing the Application, there is no doubt that Judge Zünd made the decision on the basis of the **AF** alone without further examination of the 1,191 pages of documents attached or at least reached his decision by quickly "skimming" the documents sent.

> The application refers to Article 6 § 1 of the Convention, Article 13 of the Convention and Article 1 of Protocol No. 1.
>
> As concerns the complaints raised under Article 6 § 1 of the Convention and Article 13 of the Convention, the Court finds that domestic remedies have not been exhausted as required by Article 35 § 1 of the Convention, since the applicant failed to raise before competent domestic authorities, either in form or in substance and in accordance with the applicable procedural requirements, the complaints that were made to the Court.

The complaint under Article 6, Paragraph 1 of the Convention relates to the assurance in sentence 1

> *„In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."*

I complained that the Social Court in Munich and the Bavarian State Social Court disregarded this in my case (just as the German social courts disregard this right with more than 6 million other people affected). I complained to the Federal Constitutional Court of the Federal Republic of Germany against the disregard of a law-based case law (or the breach of Section 6 of the Convention). Following the complaint, the Federal Constitutional Court also broke this assurance of the Convention (see **AF** p. 8 last paragraph to p. 9 paragraphs 1 to 4, whereby reference is made there to the detailed evidence in the documents sent).
Judge Zünd's statement that *the applicant failed to raise before competent domestic authorities either in form or in substance and in accordance with the applicable procedural requirements* is therefore a **deliberately untrue assertion (lie)** which cannot be "erroneously" made even with exclusive attention to the **AF**.

The complainant submitted criminal complaints to the relevant local courts about the criminal offenses committed by the judges of the respective courts and lodged a complaint with the competent general public prosecutor's office because of their failure to deal with them. Against the background of the German “state-organized crime”, the criminal complaints related superficially to selected groups of offenders but they always included the whole “rat tail” of the criminal acts of the judges of the social courts and the Federal Constitutional Court.
Judge Zünd's statement that *the applicant failed to raise before competent domestic authorities either in form or in substance and in accordance with the applicable procedural requirements* is therefore so continue a **deliberately untrue assertion (lie)** which cannot be "erroneously" made even with exclusive attention to the **AF** (see **AF** p. 9 paragraphs 5, 5 to p. 10 paragraphs 1, 2, whereby reference is made there to the detailed evidence in the documents sent)

The complaint according to Art. 13 of the right to an effective complaint concerns the assurance

> *"Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity."*

This complaint relates precisely to the complainant's attempt to take action against the violation of the Convention by the Federal Republic of Germany *in terms of form and substance in accordance with procedural regulations*. The complainant complains that this right has been demonstrably broken by the courts (all social courts, Federal Constitutional Court) of the Federal Republic of Germany (here, in turn, reference is made to the detailed evidence in the documents sent) and judge Zünd claims that the complainant did not even try. This, in turn, is a **deliberately untrue assertion (lie)** made by the **judge Zünd**, which cannot "erroneously" made even with exclusive attention to the **AF.**

The only point where the complainant did not comply with a so-called “legal remedy” is the complaint against non-admission of the revision to the Federal Social Court. Under **AF**, point 65, p. 11, 4 reasons are listed why the complainant did not do this. In your „Admissibility_guide_DEU“ (I. A. „Failure to exhaust domestic remedies“) is to learn that you do not intend to be dogmatic about non-exhaustion („64. The principle of legal exhaustion is a golden rule and not set in stone“). This should be a clear case if the so-called “legal remedy” pronounced by the Court is proven to be a clear breach of domestic laws by the Bavarian State Social Court (**AF** points 64 and 65, p. 11).

> As concerns the complaints raised under Article 1 of Protocol No. 1, the Court finds in the light of all the material in its possession and in so far as the matters complained of are within its competence, that they do not disclose any appearance of a violation of the rights and freedoms set out in the Convention or the Protocols thereto and that the admissibility criteria set out in Articles 34 and 35 of the Convention have not been met.

Since the single judge Zünd examined his rejection of the Application in accordance with Article 27 according to sentence 1 of his „decision“, he has also done it in accordance with its paragraph 1, i.e. the judge Zünd rejected the Application **without further examination**. If he claims here now that he „*finds in the light of all the material in its possession*“ then this is a **deliberately untrue assertion (lie)**, because he did not even look at and check this material.

On pages 8-10 of the **AF** it is clearly described for which Articles of the Convention or Protocol a violation is asserted. Justify the rejection of this complaint with the comment "*so far as the matters complained of are within its* [the Court's] *competence*" is an insolence of the judge Zünd.

The reasons for the complained of violations are so succinctly described by the complainant in the **AF** and proven in detail so that the conclusion of the judge Zünd *"that they **do not disclose any appearance** of a violation of the rights and freedoms set out in the Convention or the Protocols thereto*" is comparable in its stupidity with the findings of the German public prosecutors (complaint because of violation of Art. 1 of Protocol No. 1), which, despite the evidence presented ("sufficient" and "urgent suspicion"), cannot recognize any "initial suspicion".
For members of the judiciary of the Federal Republic of Germany, this pretended mock blindness and stupidity fulfills the criminal offenses of perversion of the law (Section 339 StGB in conjunction with Section 12 StGB a crime) and the massive thwarting of punishments in office (Section 258a StGB). What does this pretended blindness and stupidity fulfill here for the ECHR judge Zünd? But at least the proof that he is an absolute miscast and that he is completely lacking in character aptitude for his job.

The Court declares the application inadmissible.
Andreas Zünd
Judge

No, the ECHR did not declare, but the Swiss single judge Andreas Zünd gave massive lies to justify the inadmissibility of the Application. As the meaning of the word implies, these lies are "**delibrerately** untrue". I.e. the judge Zünd **acts with intent** when he wrongly announces his assertion that the Application is inadmissible. In other words, Judge Zünd willfully denied the applicant the opportunity to exercise his rights under the European Convention before the ECHR. The willful denial of justice by a judge before a federal German court is perversion of the law, i.e. a crime. What is the **willful denial of rights before the ECHR by judge Zünd?** At least one is a **breach of Article 34 of the European Convention**. From the last sentence of this Article ("High Contracting Parties undertake not to hinder in any way the effective exercise of this right.") it does not follow that individual judges of the ECHR, for whatever interests, may very well claim this right for themselves.

From the **AF** alone (without considering the 1,191 pages of attached documents) it is clearly evident that behind the 3 violations of the Convention established by the complainant, there is the legal dispute about **the state-organized fraud on the basis of perversion of the law and constitutional violation of over 6 million German citizens with a current amount of fraud of 30 billion EUROs**. The violation of Art. 1 of Protocol No. 1 (protection of property) can be asserted by all of the more than 6 million duped persons without further action. The violations according to Art. 6 and Art. 13 of the Convention are immediately visible in the case of those trying to defend themselves against fraud in court. It has also already been shown in the **AF** that the complainant refers to enough such cases in the available evidence.

So it cannot be overlooked that this Application (to say it in the language of the ECHR) calls for a "pilot judgment" procedure, is to be dealt with according to priority 2 and, due to its content, will be of extreme importance for democracy and the rule of law throughout the European Union.