

Mr Nils Muižnieks
[Commissioner for Human Rights](#)
Council of Europe
F-67075 – Strasbourg Cedex
France

[Ms Noëlle Klosterkotter-Dit-Rawé](#)
[]

See my attached COMMENTS

(By 'Recorded Delivery')

15th January 2013

Overall outcome of the unlawful rejection of my legitimate 26.01.12 Application:
- I continue to be subjected to ongoing criminal treatment by the British State (e.g. **My Diary**);
- Some 1,100 hours of my life and over £500 in costs: down the drain (e.g. **Doc library # 1.14**)
- Summary events: **Overview # 18**

Dear Mr Muižnieks,

Ensuring that the [European Court of Human Rights \(ECtHR\)](#) deals with [my Application No. 11632/12](#)

While I am aware that [your entry](#) on the CoE's website states that "you do not deal with individual complaints", I am addressing this letter to you, because:

- my complaint relates to the ECtHR failing to comply with the Convention;
- my attempt at resolving the matter at the ECtHR level has failed;
- [your Mandate](#) includes "[fostering effective observance of human rights at member states level](#)" and must, by extension, include the ECtHR.

I submitted a [26th January 2012](#) Application, No. 11632/12, to the ECtHR.

[ECt # \(2\)](#) In its, attached, [6th June 2012](#) letter (¹), the ECtHR wrote that [Judge Vincent A. De Gaetano, \(Malta\)](#), "[decided to declare \[my\] Application inadmissible \[because\] the admissibility criteria set out in Articles 34 and 35 of the Convention have not been met](#)".

In breach of [Article 45 of the Convention](#), Judge De Gaetano did *not* specify in what way my Application breached the Articles.

From analysing Articles 34 and 35, I identified 16 potential criteria that could lead to a rejection.

As can be seen from my attached [analysis](#) (²), I [concluded](#) that my Application does *not* breach *any* of the criteria – hence: [that the assertion that "\[my\] Application does not meet the criteria set out in Articles 34 and 35" – is false.](#)

[ECt # \(2.1\)](#) Wanting to get a reply to my Application that is compliant with Article 45, I sent the attached [18th September 2012](#) letter (³) to Sir Nicolas Bratza, then British President of the ECtHR, asking him for an assessment of my conclusions (as per the enclosed).

¹ 06.06.12 letter from the ECtHR rejecting my 26th January 2012 Application

² My analysis of Articles 34 and 35

³ My 18.09.12 letter to Sir Nicolas Bratza, then President of the ECtHR

The enclosed [11th October 2012](#) reply (⁴) misrepresented my request, by claiming falsely that: I was attempting “*to appeal against the decision*”, as well as attempting “*to make a further application*”.

As my post gets intercepted by the British State, over a period of c. 2 weeks, I sent the Court another 2 copies of my 18th September letter. I also received the enclosed [13th November 2012](#) letter from the Court (⁵), which is identical to the 11th October letter – leading me to conclude that Dean Spielman, President of the ECtHR since 1st November, also endorses the [6th June](#) rejection of my Application.

The obvious conclusion from events is that, in breach of its remit, and of my rights – the ECtHR is, in fact, refusing to deal with my Application – thereby amounting to discrimination.

I would be most grateful for your intervention in ensuring that my Application, No. 11632/12 is dealt with by the ECtHR.

I am copying [Mr Thorbjørn Jagland, Secretary General of the Council of Europe](#), on this letter and its enclosures, explaining my reasons for doing so. And, likewise, I enclose a copy of [my letter to him](#) (⁶) sent by the same post.

I draw your attention to the fact that, on my website, I have reported my experience to date with the ECtHR, at www.leasehold-outrage.com/pg Iso/Other courts.htm#ECtHR. Further, that on this page, home page Overview, etc., I state my conclusion from events that the ECtHR ‘approves of the violations of my human rights by the British State’s police, related services and judiciaries’ – followed by the consequences.

Thank you in anticipation of your assistance.

Yours sincerely,

Noëlle Klosterkotter-Dit-Rawé
www.leasehold-outrage.com

cc. Mr Thorbjørn Jagland, Secretary General of the Council of Europe

⁴ 11.10.12 letter from the ECtHR dismissing my request

⁵ 13.11.12 letter from the ECtHR (identical to the 11.10.12 letter)

⁶ My 15.01.13 letter to Thorbjørn Jagland, Secretary General of the Council of Europe

1 Background

(As detailed in my [15.01.13](#) letter to [Nils Muižnieks, Commissioner for Human Rights, Council of Europe](#))

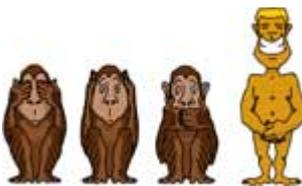
My [26.01.12](#) Application to the [European Court of Human Rights \(ECtHR\)](#), was rejected in a [06.06.12](#) letter, claiming a decision by [Judge Vincent A. De Gaetano \(Malta\)](#), that **my Application "[failed] to meet the admissibility criteria set out in Articles 34 and 35 of the Convention"**.

However, in **blatant breach of [Article 45 of the European Convention](#)**, he **FAILED** to state in **what way**. My analysis of both Articles ([ECt # 2](#)) led to me to the conclusion that **the assertion is FALSE**.

Wanting to get confirmation of my conclusions, I sent an [18.09.12](#) letter (with my analysis) to Sir Nicolas Bratza, then British President of the court - asking: "***Please, let me know in what way, if any, my conclusions are incorrect – such that they justify [Judge De Gaetano](#)'s rejection of my Application.***"

(Typically) ([Overview # 7](#)), **to avoid dealing with my question, the [11.10.12](#) 'reply' misrepresented my letter** – thereby amounting to confirmation that the rejection of my Application CANNOT be justified – as well as to another 'GET LOST!' ([ECt # 2.1](#))

Having failed to resolve the situation at the level of the court, I escalated my complaint to [Nils Muižnieks, Commissioner for Human Rights, Council of Europe](#), by letter of [15.01.13](#), and to [Thorbjørn Jagland, Secretary General for the Council of Europe](#), by letter of [15.01.13](#). ([Overview # 18.5](#))



2 'Response' from Mr Jagland and Mr Nils Muižnieks

(As discussed under [ECt # 4\(2\)](#)) the [19.02.13](#) 'response' from [Mr Thorbjørn Jagland, Secretary General for the Council of Europe](#) (intercepted by the British State - see below), to my [15.01.13](#) letter to him – with which I copied him on my [15.01.13](#) letter to [Mr Nils Muižnieks, Commissioner for Human Rights, Council of Europe](#), was:

"...the Secretary General of the Council of Europe cannot intervene in respect of any judicial proceedings initiated before the Court, either when they are pending or once they have been concluded"

In relation to [Mr Nils Muižnieks](#) (discussed under [ECt # 4\(1\)](#)) - in spite of my sending him a [04.03.13](#) chaser letter (comprising of a copy of: my [15.01.13](#) letter to him + all its enclosures + proof of postage, and of delivery + copy of my [15.01.13](#) letter to [Mr Jagland](#)) - **more than 2 months later**, he had NOT responded. It led me to **phone him on [26th March](#)**.

The woman who replied tried to get rid of me immediately, by telling me: "**The Commissioner does not deal with individual complaints**". I replied that I was aware of this – as I stated in my [15.01.13](#) letter.

Then: "**He cannot interfere with judicial decisions**" = SAME excuse as above.

To my challenging her by saying that **my complaint refers to the BREACH OF THE CONVENTION BY THE COURT** - hence "**it is NOT a judicial decision**" – she still would not budge.

I said: "**So, the message from the Commissioner to country X, Y, Z is: do we as we say, but don't do as we do; the Court is exempt from compliance with the European Convention. FANTASTIC!**"

This is **A BLATANT MISREPRESENTATION of my complaint** – which is clearly **DELIBERATE = ANOTHER 'GET LOST!'**...

..as **THE ISSUE IS – VERY CLEARLY - NOT "A JUDICIAL DECISION"**,

...– but **FAILURE BY THE EUROPEAN COURT OF HUMAN RIGHTS TO COMPLY WITH THE REQUIREMENTS OF THE EUROPEAN CONVENTION** – specifically: **ARTICLE 45.**

The obvious conclusion from the above is that **BOTH, the Secretary General of the Council of Europe, and the Commissioner for Human Rights...**

...- perceive **the European Court of Human Rights** - as being **EXEMPT FROM COMPLIANCE** with the requirements of **the European Convention...**

...**ALL** because '**Dear Mr Andrew David Ladsky**' decided he was 'entitled' to make **a multi-million £ jackpot - through extortion - at my expense (and that of my fellow leaseholders)...**

...**And they ALL said: YES! Of course, O' Great One!**



I wonder: do they **ALL** have a timeshare on the **penthouse apartment?** ([Planning application; Land Registry title](#))... that was: "**categorically NOT going to be built**" ([Brian Gale, MRICS, 13.12.02](#) "Expert Witness" report to the [London LVT](#)), "**because it was not a viable proposition**" ([Joan Hathaway, MRICS, MRJ - 04.03.03](#) letter) ([Overview # 3](#)). **'Major works'**

If so, given the ever-growing sheer number of those involved on protecting him, they will soon run out of days in the year.

For the **IMPLICATIONS ON ME**, of the above: see my Comments attached to the ECtHR's letter of [06.06.12 / Ect # 5](#).

3 Of particular note - in the light of events

3.1 28 Feb 13 speech by my Mr Jagland

In the light of:

(1) the content of my [26.01.12 Application](#);

(2) my subsequent experience with: (i) the court ([ECt # 2](#)) ; (ii) Mr Jagland ([ECt # 4\(2\)](#)); (iii) Mr Muižnieks ([ECt # 4\(1\)](#))..

...– some of [Mr Jagland's](#) comments in his 28 Feb 13 'Address to the High Level Segment of the United Nations Human Rights Council' (access through '[Speeches 2013](#)') are worth of particular note:

"...the three most pressing challenges we are facing currently in Europe..."

*"The first is the **fight against corruption and other forms of misuse of power. Corruption is a threat to democracy and it undermines citizens' trust in the rule of law.**"*

"According to recent data, almost three quarters of the citizens of Europe perceive corruption as a major problem in their country..."

"The first precondition for fighting corruption is a trustworthy, effective and independent judiciary. The problems in this sector are many. Some have lengthy proceedings, in other countries the judiciary is corrupted or controlled by the executive power"

"Fighting corruption also requires genuine freedom of expression..."

"...a number of Council of Europe human rights treaties complement UN standards. Together they form an unprecedented and effective legal framework to protect human dignity"

"All these treaties have an integrated approach including prevention measures, protection of victims..."

3.2 UK applications "declared inadmissible or struck out" by the court

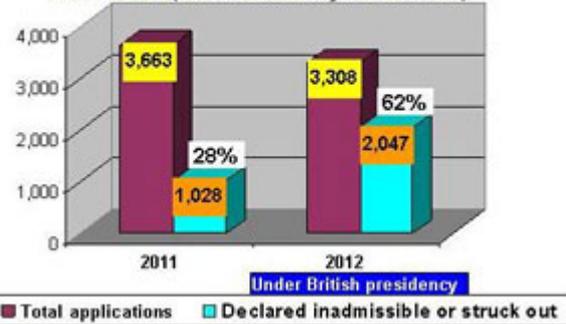
Also worth noting, is the 'fascinating' statistic about the Court's handling of applications from the UK, in 2012 (year of [my Application](#)) – under the British Presidency of Sir Nicolas Bratza ([ECt # 2.1](#)):

I produced the graph using the ECtHR's data from its 'Analysis of statistics' (available from [its website](#)) for 2011 ([reduced copy](#)) and 2012 ([reduced copy](#)).

As can be seen, in 2012, the percentage of UK applications "*Declared inadmissible or struck out*" more than doubled - from 28% in 2011, to 62% in 2012.

(More detail under [ECt # 3](#))

Percentage of UK 'inadmissible / struck out applications' 2011 v. 2012 (from ECtHR's Analysis of Statistics)



4 Other points about the [19.02.13](#) letter from [Mr Jagland](#)

"Your letter has, however, been forwarded to the Registry of the Court for information"

"for information" =

- To provide the Court with confirmation that the Secretary General approves of its breaching the European Convention?
- For those concerned to continue to have a good laugh at my expense?

(Typically), as part of [the ongoing criminal psychological harassment regime \(*\)](#) **THE BRITISH STATE INTERCEPTED THE LETTER.**

(*) access from top of [Home page](#), **MENTAL TORTURE**, text next to visual of legs of 3 men

The same thing happened with the Court's [28.02.12](#) letter of acknowledgment of my [26.01.12](#) Application (as can be seen from the copy of the envelop attached at the back of the letter).

This time, as can be seen from the copy of the envelop attached to the [19.02.13](#) letter, on top of the French franking, a sticker was affixed, stating: "**TNT post, 178, 2 L, WB1, EC1, LPG PO Box 903, Aylesbury, HP20 9FL**"

The **French franking** states: 'Economique Autorisation', '99 Paris Inter'; 'Port Payé France'; '**26.02.13**' (which is 1 week AFTER the date of the letter! = **hint of something going on**).

(Contrast with e.g. the envelop in which the [06.06.12](#) rejection of my Application was sent). (More detail under [ECt # 4 \(2\)\(3\)](#))

Outcome: the letter arrived at my PO Box on 19th or 20th March i.e. nearly 1 month after being posted.

Further, to make sure that all concerned had a good laugh (*): **it arrived open** 'due to' using an envelop on which the gum did not stick.

(*) My conclusion influenced principally by the fact that it was posted 1 week AFTER the date of the letter.

The motivation this time for [the criminal psychological harassment](#) by the British State - et.al.?

(Among others) counting on the fact that, lack of reply would lead me to waste my time and money to send a chaser letter to Mr Jagland ([04.03.13](#)) – so that the psychos could get their sadistic kick.

Post Office Ltd.
Your Receipt

Handwritten: HOLBORN
Greater London
SC-20E

19/20 High Holborn
London
Greater London
WC1U 6BS

Date and Time: 15/01/2013 09:52
Session ID: 2-601449
Dest: France (EU)
Quantity: 1
Weight: 0.061 kg

Airsure P Papr £0.00 **£9.24**

Total Cost of Services **£9.24**

Posted after Last Collection? No

Barcode: LY7872376396B

DESTINATION ADDRESS
Building Name or Number Postcode
COUNCIL OF EUROPE STRASBO F-67075
Address Validated? N

IT IS IMPORTANT THAT YOU RETAIN THIS
RECEIPT AS IT IS YOUR PROOF OF POSTING

PLEASE REFER TO SEPARATE TERMS AND
CONDITIONS

For information regarding
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contact us on
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or visit our web site at
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Your Receipt

Handwritten: Philz-nick
COM M12

19/20 High Holborn
London
Greater London
WC1U 6BS

Date and Time: 15/01/2013 09:51
Session ID: 2-601449
Dest: France (EU)
Quantity: 1
Weight: 0.061 kg

Airsure P Papr £50.00 **£9.24**

Total Cost of Services **£9.24**

Posted after Last Collection? No

Barcode: LY7872374496B

DESTINATION ADDRESS
Building Name or Number Postcode
COUNCIL OF EUROPE STRASBO F-67075
Address Validated? N

IT IS IMPORTANT THAT YOU RETAIN THIS
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- Customer service

Please enter your 13 character reference
e.g. AA000100019GB

LY787237639GB

Track item

[How to find your reference number](#)



Your item, posted on 15/01/13 with reference LY787237639GB was delivered in FRANCE on 18/01/13.
Thank you for using this service.

Thorbjørn Jagland

SENDING important or valuable mail

TRACKING important or valuable mail

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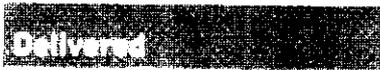
- Find a postcode
- Postal prices
- Shop
- Track an item
- A-Z
- Work for us
- Customer service

Please enter your 13 character reference
e.g. AA000100019GB

LY787237449GB

Track item

[How to find your reference number](#)



Your item, posted on 15/01/13 with reference LY787237449GB was delivered in FRANCE on 18/01/13.
Thank you for using this service.

MuZmieks

SENDING important or valuable mail

TRACKING important or valuable mail