ÉDITIONS GALAAD

Infamy of the State

(Reality of unconstitutional acts practiced by the
French State in violation of its constitution).

(Revised and completed version – reissue of December 24, 2024)

IMPORTANT:
Free book cannot be sold

Kenny Ronald MARGUERITE

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Thanks to my fiancée Nicole

Thank you to my fiancée Nicole who co-wrote this book, which would never have seen the light of day without her.

I'm going to tell you about my fiancée Nicole, and to do this, I would tell you that she has collaborated on all my books, including this one, giving shape to my words and by magnifying my ideas without altering them.

It is she who gives meaning to my ideas and manages to faithfully transcribe my thought by giving it a lighter tone. Thank you for the help and support she gave me throughout the writing of this theme. She was able to give coherence to my ideas.

May God bless her!

ÉDITIONS GALAAD

Culture is the lever allowing men to aspire to excellence.

Do not neglect it.

(Of Feather and actions)

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GOOD TO KNOW:

This file could not be corrected by a professional proofreader and was written by a French speaker since the urgency of the situation required that it be published as soon as possible. In doing so, you will certainly find spelling, conjugation and grammatical errors, I apologize in advance.

1 Introduction

To begin with, it is important to note that in order to change things, so that my rights are no longer violated by unconstitutional laws, I have taken legal action. My case is still ongoing. You will find in this book a compilation of the files that I have filed, supplemented by other important elements for the themes addressed.
This book is made up of two parts, the first is the legal file that I have set up in order to defend my rights and the second presents the research on realities linked to the abuses of Mr. MACRON's governments, having had to manage the health crisis, as well as other testimonies that I provide. Please note that as a result, given the different nature of these two writings, the legal parts, taken from the files of my case, will present as the subject **"Mr. MARGUERITE"** instead of the personal pronoun **"I"**, used for the other part.
Thus, this book presents legal bases, from legislative texts that will allow all those who, like me, have suffered discrimination and financial losses due to the existence of these two illegal laws, vaccinal against covid 19 and Sunday (dominical), to defend themselves.
Thus, this book is not simply intended to present a story, but is also a "legal sword" that should help all those who have suffered, or are still suffering, harm because of these laws that I incriminate, to defend themselves.

To present to you what I have experienced, I will give you a strong image that symbolizes what the Sunday (dominical) and vaccinal laws against covid 19 have made me endure, for years and are still making me endure:

> To do this, I would tell you that my story, if I could not prove that it really existed, thanks to the evidence that I provide, could easily pass for a B-series soap opera in bad taste.
> And yet! It is indeed my life and the unconstitutional laws, Sunday (dominical) laws and vaccinal laws against covid 19, have come to undermine all my efforts, for my social integration. In hindsight, my feeling is to have been on a greased pole.
> At the top is success, social integration, professional and personal fulfillment. Unfortunately, this mast is greased with the most viscous liquids, which are the legislative texts, unconstitutional, which carry both the vaccinal laws against covid 19 and the Sunday (dominical) laws.
> Starting from nothing, I fought to reach the top of the mast, by willpower and by the grace of God, and I was able to touch the rewards so much expected, but lo and behold, the perfidious grease of these insidious laws made me slip and I find myself again at the foot of the mast.
> From then on, my condition is much worse than before because I have been soiled by this pernicious grease that are these unconstitutional laws, which have stained my clothing. This is exactly the image that comes to mind when I think of everything that has happened and which makes me dizzy. Incredible!

I ask that justice be done, because until now, neither the President of the Republic, nor the ministers concerned, nor the high authorities established on public finances have seen fit to put in place what I am asking for and which is none other than to live in dignity and no longer be kept in precariousness by laws and administrations, which have exceeded their rights and prerogatives.

I come to you, through this book, so that we do not regress and that my story is not this exception, which demonstrates that the blood of those who established our Nation, France, has not flowed in vain. My goal is that those who have suffered under the iniquitous yoke of the Sunday (dominical) and vaccinal laws against covid 19, can be compensated.
Thus, in view of what has been presented in this book, I ask that justice be done to me, as well as to all those who like me, have suffered, under the rule of the vaccinal laws against covid 19, which themselves are unfounded, because they contravene the "Declaration of Helsinki" and by extension European law.

The same goes for those who have suffered and are still suffering because of the Sunday (dominical) laws, which are nevertheless unconstitutional. I ask that we can be compensated for the losses and abuses suffered, but at what price!
Unfortunately, this compensation will never be able to provide an answer and compensate for the pain of the families of those who, under the pain, have killed themselves because of the loss of their jobs.
Thus, it is not only the covid 19 virus that kills, but also unfair and unfounded laws established in complete illegality that have led or are still leading some to the grave prematurely.

For my part, I am alive, but the tears shed for our constitution (French) have been in vain.

To continue, I would like to tell you that it is important for me that you understand that these situations that I have been confronted with, I did not want them because, before coming to defend my case before the courts, I believed in the integrity of the Secular Republic that is France. and for which courageous men and women shed their blood and gave their lives, as early as 1789, during the French Revolution.
This, just like for the maroon negroes (*Black Slaves Who Rebelled and Fought Against Slavery*), in search of freedom, who rose up against the colonists.
Just before I could experience the unthinkable, I had faith in our secular republic that is France and in the fact that our constitution assured us, as citizens, that no powerful iniquitous person would come to mistreat a French citizen.

Yes, my naivety was very great, I admit it!

Unfortunately, considering my history, what was decreed at the beginning of the constitution (French), liberty, legality, fraternity seems to me, today, to be nothing more than a myth, a utopia. Indeed, what I suffered while the highest French authorities were aware of it and that nothing concrete has been put in place, is in my opinion, unworthy of a country such as France.

How can a strong nation, a Republic where human rights are the banner,allow a citizen who starts from nothing, and who does not want to remain a burden for his Nation, fights like a Lion in order to ensure a better future for his children and himself and who, having reached a status that makes him a Frenchman with an average income of **3500 euros,** to be forced to receive as an income, for several months, **less than the minimum subsistence,** because of laws that flout Marianne, therefore our Nation (France) and to be lowered by those who, coming from the people, have sworn to serve the citizens. We will see it!

To you, who are reading me, can you imagine what I am going through? Often the best way to understand a person who is suffering because of a stone in their shoes is to wear them for a while.
Can you, even for a moment, put on my clogs. I am just a simple Frenchman, I do not have a prestigious name or wealthy parent, I was only naive enough to believe in the values of the Republic (French), in this inestimable heritage that is our constitution that was bequeathed to us, at the cost of the blood, of men and women of great value?

I want you to know that despite the vicissitudes that have largely been my lot, in recent years, I continue to believe in, freedom, legality, fraternity and justice.

I will tell you my story, and I will tell you that I am coming out of this misadventure, sore.

You who read me, you remain on this day my last hope.
I would like to tell you, to you who read me, that I am convinced that my story and especially the facts that I present in this book will mark the spirits. At least, I believe it. May this book, that we took pleasure in writing and offering you, be the glimmer of hope that will open up better tomorrows.

Folder: Of faith, suffering and action

“Like a samurai in training, I learn from every twist and turn in life. My resilience, combined with my firm belief in a better tomorrow, helps me move forward, feather (pen) in hand. Indeed, writing enables me to transcend life's difficulties. The paths of suffering, if endured wisely, are divine rungs leading to eternity.”
[Quote from Kenny R. MARGUERITE].

2 STATEMENT OF FACTS

REMINDER OF FACTS AND PROCEDURE:

The applicant, Mr. Kenny Ronald MARGUERITE, is a business manager and the details he provides below are intended to make the connection between the discrimination he suffered under the yoke of unconstitutional laws established in the secular Republic that is France and his disastrous financial and professional situation for years.

It all began when Mr. Ronald MARGUERITE felt, in 2014, the need to put on paper his knowledge and the advice on hair problems that he gave to his clients.
Faced with the enthusiasm generated and the feedback he received from those who had read it, he decided to market his writings by creating a company based on the world of publishing and seminars. This company is called Édition Dieu t'aime sas (EDT SAS) and began operations on November 12, 2014 (see production no. 1).

When he created his company, in order to prevent it from being weakened from the start of its activity due to a lack of working capital, Mr. MARGUERITE requested assistance from the Territorial Collectivity of Martinique. This assistance was to enable him, in particular, to publish his book “Comment bien entretenir et soigner les cheveux des femmes noires (How to properly maintain and care for black women's hair)”.
This request was rejected because at the end of this book he briefly presents several of his spiritual books (see production no. 2).
An underlying problem remained, his company, Editions Dieu t'aime sas (EDT SAS) was not viable. He therefore had to carry out a thorough reorganization. From the experience of these first companies (see production no. 1) which collapsed due to lack of working capital, and for which he had to file for bankruptcy, Mr. MARGUERITE knew that the latter would not be profitable in the long term, but he chose to keep it while he cleared his debts, especially the tax ones, then his objective was to file for bankruptcy.

In order to be able to earn a salary that he could not claim with his company and not wanting to find himself surviving by receiving the RSA (Allowance constituting both a minimum income for people without employment and an income supplement in the event of a return to work), he set up a second company in July 2019, but he chose to continue the activities of les Édition Dieu t'aime sas (EDT SAS) in parallel. The new company, set up in his own name, began its activity on July 24, 2019 with the trade name, Perle Noire, the name used for its activities is Édition GALAAD (see production no. 1).
This company was set up in the legal form of an EIRL and began its activity on July 24, 2019. For the year 2018, the company les Édition Dieu t'aime sas (EDT SAS) generated a gross turnover of 45,029 euros, but once the expenses were removed, there remained an annual profit of 25,132 euros, or 2,094.33 euros at the monthly level (see production no. 3). This sum was reinvested, largely in book publishing. Although for the year 2019 this company was in deficit by 4,147 euros, it recorded a turnover of 56,684 euros, or a monthly average of 4,723.66 euros (see production no. 3).
For the year 2020, Mr. MARGUERITE was able to continue his activity from January 1, 2020 to February 28, 2020, then the pandemic put everything on hold, and he recorded a profit of 1,499 euros or 749.50 euros at the monthly level (see production no. 3).

Then, because of the bans put in place by the vaccinal laws against covid 19 which forced him to technical unemployment during the pandemic, the repercussion is that this company had no income for the years 2021 to 2024. (see production no. 3).
From the start of its activity until December 31, 2019, the company Marguerite Kenny (Édition GALAAD), generated for Mr. MARGUERITE an overall personal income for this period of 17,770 euros, which represents an average monthly income of 3,554 euros. (see production no. 4).

Then for the first months of the year (January and February) 2020, the personal income recorded was 9,293 euros or 4,646.50 per month (see production no. 4).
Mr. MARGUERITE mainly focused the activity of this second company on his work as a hairdresser consultant and seminarian around the themes of his books, especially those dealing with the hair problems of black and mixed-race women. The same causes producing the same effects, he did not repeat the same mistakes as for his previous companies with the lack of working capital. The assistance requested by Mr. MARGUERITE from the territorial community of Martinique (CTM) this time received a favorable response and 1,500 euros were granted to him (see production no. 2).
Since this grant was intended for working capital, to invest in equipment that would allow him to optimize the performance of his companies, he had to obtain other financing. He then requested a loan for the development investments planned for his businesses.
The various steps taken with banks and credit institutions having been unsuccessful, it was ADIE (Association for the Right to Economic Initiative) that responded favorably to his request on July 19, 2019 and granted him a loan of 7,592.01 euros in 2019, with a repayment schedule over 24 months of 315.00 euros (see production no. 5). In particular, he was able to invest in the acquisition of a device for analyzing hair and scalp (see production no. 6).

In 2019, he also invested in obtaining a certification, highlighting his experience as a hairdresser consultant, as no diploma certifies this branch of the profession “hairdresser consultant in hair problems” (see production no. 6).
Mr. MARGUERITE also followed training that he had to pay for out of his own pocket, in October 2019, to enable him to be more efficient as a hairdressing consultant (see production no. 6). In addition, during this same period to optimize his income, he decided to start reselling hair products by placing an order for 2,898 euros (see production no. 6), these products were also to enable him to set up hair workshops and also sell them during paid seminars and hair advice/assessments.

From the creation of his company in July 2019 to March 15, 2020, the date of the implementation of the first curfew due to the pandemic generated by covid 19, he carried out his activity in the two departments, Guadeloupe / Martinique and in mainland France. To make himself known, he set up advertising in the media (see production no. 6).
Mr. MARGUERITE's forecasts for optimizing his resources during the years 2019 and 2020 were reliable, holding seminars, setting up hair workshops, hair assessments (see production no. 7) with the newly invested device. To do this, he went to Guadeloupe. His goal was to go there regularly and stay there for a month on each trip.
He was already working with a hairdresser whose salon is quite spacious and well located (right in the center of Pointe à Pitre).
The various seminars that Mr. MARGUERITE had held in Guadeloupe had opened up a client portfolio of around 400 people between 2017 and 2019. With the owner of the hair salon who is a friend and brother in Christ of Mr. MARGUERITE, they set up paid seminars, advice to customers through hair assessments and sales of products following the different types of problems detected. (see production n° 6).

This concept allowed Mr. MARGUERITE to breathe new life into his companies by diversifying the entries. The arrangement made with the owner was a percentage on the turnover generated by Mr. MARGUERITE. To develop and publicize their concept, an advertising campaign was launched on the airwaves to present the hair assessments. (see production no. 6). In addition, being in Guadeloupe, he had set up partnerships with dietetic houses (see production no. 6), which made appointments for their clients and they made a room available to him. Once the services were provided, he paid them a percentage of the turnover made within their walls. Thus, as is generally the case, Mr. MARGUERITE sees a client again, for follow-up every 3 months.
This new concept and its established partnerships were promising for his new company.

In addition, the large number of seminars held in Guadeloupe and Martinique and its appearances on various media constituted its showcase. (see production no. 7).
Thus, with his past disappointments and the experience acquired “by taking blows”, as a business leader, Mr. MARGUERITE had finally arrived at the door of “Eldorado”, and a bright professional future was on the horizon for his two companies. With the pandemic due to covid 19, all his beautiful hopes were dashed by the restrictions imposed by the vaccinal laws which prevented him from continuing on his beautiful flight.
This is how, in an attempt to curb the pandemic, the successive known measures were taken through laws and decrees. Thus, the pandemic occurred with these restrictions, because in an attempt to curb it, successive measures were taken by the government, among others, the obligation of vaccinal for certain professionals, such as those who, like Mr. MARGUERITE, hold seminars. As soon as the “sanitary pass” was introduced, gatherings were only possible under certain conditions, his activity linked to the organization of seminars suffered the full force of these restrictions.

Indeed, it was impossible for him to organize them in the context of the health crisis, given the heavy logistics to be put in place, the constraints that had to be faced with regard to vaccinal status and the total lack of guarantee as to the actual realization of these seminars. For months, only “solid” structures could still “try the adventure”, because that was one. In addition, Mr. MARGUERITE could not take the risk of being criminally prosecuted in the event of a breach of the rules relating to “pass”.

Similarly, he would not have been able to bear the costs that would remain his responsibility in the event of the cancellation of a seminar.
Thus, with the appearance of the coronavirus, all his projects went up in smoke, including a seminar that had already been scheduled in Martinique with the CGOSH for May 21, 2020 (see production no. 8) and which could not ultimately be held, although it was postponed three times due to the ban on such gatherings during the pandemic.
This was also the case for a seminar that Mr. MARGUERITE was to hold with the city of Lamentin on May 19, 2021 (see production no. 8). These two seminars represented 1,200 euros of entry, but because of the vaccinal restrictions they were canceled and with them this “providential windfall” that would have allowed Mr. MARGUERITE to hold for a while.

Apart from the net loss corresponding to the cost of the seminar (600 euros), it is also his books on the hair problems presented above, which he was not able to offer for sale, i.e. around 500 to 1,600 euros per month, to which must also be added the new clientele who were not able to train.
Indeed, generally after each of his seminars, Mr. MARGUERITE records an increase in his clientele for hair assessments whose average cost is 90 euros (see production no. 7).
It should be noted that he also organizes paid seminars on the theme of his other books, for example on the one entitled **“Inquisitiô (tome II) Support du séminaire sur le thème : VIVRE MIEUX SES RÊVES ET SES VISIONS. Version avec images en couleur”.**

To do this, he generally rents a room to organize a paid seminar, around the theme of this book, as well as its completed version. These books were, before the pandemic, sold during seminars reserved for them (see production n° 7), but also during seminars on hair.
Unfortunately, because of the pandemic and the restrictions due to the vaccination laws against covid 19, the stocks of these two books could not be sold (see production n° 9).

These books, due to their packaging, as well as the vast majority of Mr. MARGUERITE's works, could not be kept intact, moldy, they are therefore unsaleable today. This reality is presented in a report, broadcast on the Martinique la 1re television news, on August 3, 2024 (see the second subject presented on the news).
You can watch this Martinique la 1re newscast using the following link:

https://la1ere.francetvinfo.fr/martinique/programme-video/la1ere_martinique_journal martinique/diffusion/6327959-edition-du-samedi-03-aout-2024.html

To continue, we will tell you that bookstores were, as previously stated, one of the sources of regular income, although insufficient, for his businesses. (see production no. 9).
With covid 19, things became even more difficult, because bookstores were part of the non-essential businesses impacted by this pandemic for a time, so no income for Mr. MARGUERITE, at this level. This area of activity of his businesses was therefore undermined by the book distribution company, SOCOLIVRE.

For many years and until the end of December 2020, Mr. MARGUERITE deposited his books in consignment with this company and when they were sold, this company kept the percentage coming back to it, namely 40%.
This is how, after having restocked the bookstore shelves in January 2020, covid appeared in March 2020, leading, as we know, to the closure of non-essential businesses including bookstores for a certain period of time. Wanting to support them, Mr. MARGUERITE did not make the half-yearly reminders, especially since he was receiving the solidarity fund for his companies at that time, so he could hold on. It was only in February 2021, when he was no longer receiving subsidies for his companies and his financial situation was starting to become critical, that Mr. MARGUERITE decided to call SOCOLIVRE.
There, he was “shocked” to learn that this company had been put into receivership and that all his books on consignment had been sold. When he appealed to the liquidator, the latter informed him that he was intervening too late, because the deadline for creditors to make themselves known had been set for January 26, 2021, so he suffered a net loss with a loss **amounting to 4,100 euros (see production no. 9).**

Apart from everything we have just seen, to cope with the loss of earnings due to the technical unemployment he was suffering because of the restrictions imposed by the vaccinal laws against covid 19, initially, Mr. MARGUERITE was able to receive the subsidy set up for his two companies. Unfortunately, the (French) General Directorate of Public Finances (DGFIP) notified him on his secure mailbox that his companies were no longer eligible for this subsidy due to their tax debts which remained unpaid and the tax returns for which Mr. MARGUERITE was late.
The regularization of these two situations allowed him to receive only part of the solidarity fund for his sole proprietorship, but not for Édition Dieu t'aime (EDT) SAS.
This is why he continued these requests to benefit from this solidarity fund, despite the various rejections that were notified to him each time by the DGFIP of Martinique, from November 2020 to February 2022 for his company les Édition Dieu t'aime (EDT) SAS.

Concerning his company Marguerite Kenny (Édition GALAAD) for January and February 2021 there was no payment of this subsidy and for March 2021 to February 2022, Mr. MARGUERITE received part of the solidarity fund, but for some months the amount was less and for others, there was no payment.
It is important to note that the non-payment of the solidarity fund for Mr. MARGUERITE's two companies is the result of incomplete processing of his files and the lack of follow-up of the documents by the agent in charge of the instruction, Mr. Vincent GUILGAULT, head of the FIP accounting department – other categories – of the Lamentin tax services (Martinique).

It is important to note that from the start of the first lockdown, when he could no longer carry out his professional activities, he was finally able to set up a colossal project aimed at opening his businesses internationally.
To do this, Mr. MARGUERITE has undertaken to translate his books into English himself, and he used a large part of the payments from the solidarity fund to pay a professional proofreader to give his works in English a sustainability. He undertook 22 translations for a total amount of £7,235.12 = 8,452.03 euros. (see production no. 10).

The dates of the invoices, which were largely issued during the pandemic, and the address of the proofreader, who is in England, support this reality (see production no. 10).
Mr. MARGUERITE's plan was simple: he translated his books in order to export the concept of these seminars linked to his works to English-speaking countries, which would allow his businesses to take off again.
He held this conviction from past experiences, lived in the field during the last five years, which preceded this terrible pandemic, and which had honed him. Mr. MARGUERITE has largely achieved this translation goal, and even exceeded it, because in less than two years, by the grace of God, he has translated five books including four from the **"Inquisitiô"** series, each containing 576 pages.

However, due to lack of finances, only one book from the **"Inquisitiô"** series, as well as his work entitled **"The act of baptism and Christian growth (The reality of the latter rain that is to fall on God's people"** of 276 pages which were completely translated by the professional proofreader.
Due to their diverse themes, each of his books are open to a specific type of Christian audience, meaning that during the seminars he plans to hold on each theme, he knows he can bring together a large audience.
Which is both a possibility of financial income through the sale of seminar tickets, but also from the sale of his books.

It should be noted that in order to keep his head above water and to support his businesses, on November 14, 2022, he took out a new loan from ADIE (association d'aide à l'initiative économique), in addition to the one already in progress.
These loans were grouped together. In doing so, he must continue to repay all of these loans until December 10, 2026. (see production no. 5).
Unfortunately, even if Mr. MARGUERITE was productive, this civil servant, Mr. Vincent GUILGAULT, "broke his wings, preventing him from taking flight", according to the schedule he had established and which was intended to prepare for the end of this crisis due to the pandemic. To understand this, we must take into account the time needed for the correction by a professional and the reworking of the books he translated.

Which means that during these two approximate years of pandemic, without the "work" of Mr. GUILGAULT depriving Mr. MARGUERITE of this aid for which he was eligible, today, all his books would have already been corrected by the English-speaking corrector.
All this implies for him a loss of opportunity because "lost time cannot be made up for!"

In doing so, the publication of his books and the international opening of his companies are therefore compromised, because given his alarming financial situation, he will soon have to close his doors (file for bankruptcy of these companies), if nothing changes.
Thus, the pandemic led to the inactivity of Mr. MARGUERITE's businesses, which were primarily focused on conducting seminars and selling his books, and then, like the eddies caused by a stone thrown on the surface of a lake and which extend to infinity, are the disastrous repercussions on Mr. MARGUERITE's businesses (see productions no. 1, 7 to 10) of Mr. Vincent GUILGAULT's lack of professionalism in handling his files.

He was therefore suffering "double punishment", on the one hand, not being vaccinated against covid 19, Mr. MARGUERITE could not carry out his professional activity in any of his companies and on the other hand, the mismanagement of his files by the agent previously referred to infringed his rights by not allowing him to receive, in full legitimacy, the solidarity fund to which he was entitled for his two companies.
Worse, because Mr. Vincent GUILGAULT had established his ineligibility for the solidarity fund for his company Marguerite Kenny (Édition GALAAD), the DRFIP of Martinique sent him a collection order No. 103000 007 906 075 485125 2021 0001167, invoice number: ADCE-21-2600066301, dated October 21, 2021, requesting reimbursement of the funds that were "allegedly" unduly paid to him. (see production no. 11).

It was in order to defend his case that he filed a claim on July 5, 2022 with the DRFIP of Martinique to contest the veracity of the aforementioned collection title. In return, by letter dated August 26, 2022, the DRFIP informed him that his complaint had been favorably received and that the collection title would be canceled (see production no. 11).
However, the compensation is not yet complete. Indeed, if he was eligible for these aforementioned solidarity funds, for the entire year 2020, as evidenced by the cancellation of the collection title, he was also eligible for the entire period during which this subsidy was allocated, according to the same calculation basis, since his professional situation remained the same.

These funds that were not paid to him are therefore owed to him, for his two companies, the demonstration will be made, throughout this brief. However, faced with the inertia of the administration and seeing that nothing was being done to repair the damage suffered, despite his numerous claims, in desperation Mr. MARGUERITE sent several emails to the (French) President of the Republic (see production no. 12).
In these lines, he informed him of the difficulties he was encountering in obtaining aid under the business solidarity fund for his two companies, which was having a considerable impact on him and was leading to the disastrous situation in which he found himself.
Following Mr. MARGUERITE's emails, the president, through his chief of staff, replied that he had taken note of it, that he had been attentive to his approach and that he assured him of all the attention given to the concerns he had expressed to him regarding his situation linked to the health crisis and for which he had requested the Business Solidarity Fund.
It was Ms. Olivia Grégoire, Minister Delegate to the Minister of Economy, Finance and Industrial and Digital Sovereignty, who had been requested in this context and who was to ensure the implementation of the directives of the Head of State.

On September 26, 2022, Mr. MARGUERITE was informed that it was Mr. Jérôme Fournel, Director General of Public Finances, who had the authority to implement the President's directives and that it was his department that would be responsible for the diligent examination of his file in order to provide answers (see production no. 12).
At the end of the examination of his file, according to the terms of the letter, Mr. MARGUERITE was to be informed of the follow-up that could be reserved for his request. Unfortunately, the days turned into weeks, then into months and into a year and he had no response from Mr. Jérôme Fournel, Director General of Public Finances.

While awaiting a response from the Director General of Public Finances, he sent a hierarchical appeal – by registered letter with acknowledgment of receipt dated 23 August 2022 – to the Director of the DRFIP of Martinique, claiming the subsidy due under the solidarity fund and which had not been paid to him for his company Marguerite Kenny (Édition GALAAD) (see contested acts 1 and 2).
He also implemented the same approach for his company Édition Dieu t'aime (EDT) SAS. To do this, he sent a registered letter with acknowledgment of receipt to the Director of the DRFIP of Martinique, received on 22 January 2024 (see production no. 13), claiming the subsidy due under the solidarity fund and which had not been paid to him.

In these two letters, Mr. MARGUERITE also stated his eligibility for the “solidarity fund for companies particularly affected by the consequences of the covid-19 epidemic”, from December 2021.
These new rules established that only companies that had an activity (at least 15% of turnover/reference month) and that were forced to close are eligible for this subsidy.
With these new calculation rules, Mr. MARGUERITE was not able to claim this subsidy, although he would normally have been entitled to it. This fact is a violation of his rights.
In these two letters that he sent to the director of the DRFIP, he also presented the discriminatory treatment that the civil servant Mr. Vincent GUILGAULT had reserved for his complaints, and he requested that this civil servant be sanctioned for this.

The legal deadlines for responding to his two letters (two months) having expired and the director of the DRFIP not having responded to him, the sanction incurred by Mr. Vincent GUILGAULT became impossible because only a disciplinary council of his “peers” has this authority. In addition, after three years, from the moment the DRFIP was informed of the facts by Mr. MARGUERITE's letters, he is legally “untouchable”.

The director of the DRFIP of Martinique, by his lack of response following the two hierarchical appeals that Mr. MARGUERITE presented to him, which hinder the establishment of these disciplinary councils, meaning that the offending official will not be worried and therefore will not be able to answer for his actions, is also liable to a disciplinary sanction. We will see. Thus, due to the various lockdowns and the fact that Mr. MARGUERITE was not vaccinated from March 16, 2019 to April 9, 2022, because of the vaccination laws he was unable to resume his activities and during this period, he had to remain on technical unemployment.
In return, he was unable to benefit from the full aid allocated by the government to companies impacted by the sanitary crisis generated by covid 19 for his two companies.

To continue, it is important to consider the elements that demonstrate the unconstitutional nature of the vaccinal laws against covid 19. Evidence is provided in this regard in the section entitled **“On the alleged internal illegality of the vaccinal laws against covid 19”** where the past and still current consequences of these laws are presented because the repercussions are still present. Thus, Mr. MARGUERITE was, on the one hand, forced by the vaccinal laws against covid 19 not to work and on the other hand, the compensation presented to him in the form of this subsidy was not paid to him for several months.

It should be noted that the sanitary situation and the measures taken led Mr. MARGUERITE to find himself for months receiving less than 300 euros of activity bonus to live, more precisely 201.16 monthly for the year 2021, then from February 2022, this sum increased to 286.54 € (see production no. 14). He reached such an extreme that he had to request food aid from the CCAS of his municipality (see production no. 15).
This violation of Mr. MARGUERITE's rights by the French State, due to the establishment of the vaccinal laws against covid 19 is at the origin of the disastrous financial situation in which he finds himself, no resources for the year 2021 (see productions nos. 3 and 4).

In addition, for the year 2022 these resources were 947 euros and for the year 2023, 908.67 euros (see productions nos. 3 and 4). In the meantime, the loss of his mother on June 23, 2023 further weakened his situation (see production no. 16).
Indeed, during her lifetime, she had made an apartment located on the ground floor of the family home available to him, it served as both his home and premises for his two companies, which did not continue after her death. Mr. MARGUERITE therefore finds himself without commercial premises and unable to rent new ones and acquire equipment in order to continue writing and managing his businesses efficiently.

This is why he had to submit a request for assistance to the CCAS of Vauclin, the new municipality where he now lives, for the purchase of a computer (see production no. 15).
In addition, he also requested social assistance in his area to have basic household equipment (see production no. 15).
In the meantime, in order to “get his head above water”, he registered with the employment center (see production no. 17) in order to apply for job offers as a hairdresser, or for any offers that would allow him to have a job.

The aim was to get his business back on track financially. Unfortunately, he has experienced discrimination, which is based among other things on Sunday laws, which, while being unconstitutional, have hindered and prevented him from reintegrating. We present these realities to you in the section entitled **“Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE”.**

Thus, the repercussions of what we have just seen are that Mr. MARGUERITE received for the month of April 2024, as his sole source of income, 31.57 euros in activity bonus and 35 euros in product sales, i.e. 66.57 euros, to which are added housing benefits for an amount of 265 euros, i.e. a total of 331.57 euros, in other words a pittance, less than the social minimums (see productions no. 3, 4, 14 and 18).
In doing so, since the end of the bans linked to this pandemic, Mr. MARGUERITE has not been able to return to his pre-Covid 19 income level and he can no longer provide for his needs. Apart from this, the most dramatic impact on Mr. MARGUERITE's life of these restrictions caused by the covid 19 vaccinal laws is that for many months, he has not been able to pay child support to his children, which is psychologically a real torture for him.
He already denounced this reality in the letter he sent to the president on March 22, 2021 (see production no. 12).

Returning to companies, since February 26, 2021, Mr. MARGUERITE has not been able to honor the schedule for the business property tax for his company les Édition Dieu t'aime (EDT) SAS that he had requested from the Martinique Business Tax Service which, on June 21, 2022 and April 2, 2024, had notified him of administrative seizures intended to cover the amount of his company's tax debt which amounts to 13,080.23 euros. (see production no. 19).
On the side of his company Marguerite Kenny (Édition GALAAD), not having been able to resume its activities and, considering that for years, Mr. MARGUERITE has only received the minimum to live on, he has not been able to pay his social security contributions.
As a result, he therefore received from this organization, through a bailiff, on March 13, 2024, notification of a constraint to seize his personal assets, for an amount of 5,794.91 euros (see production no. 19).
Thus, not having the means to settle these sums, his company les Édition Dieu t'aime (EDT) SAS and himself, find themselves in a situation of seizure, collateral damage, directly linked to the administrative failure of the General Directorate of Public Finances of Martinique (DGFIP) relating to the non-payment of the solidarity fund.

In addition, it should be noted that another element likely to weaken Mr. MARGUERITE's already precarious situation is that on June 30, 2024, his landlord asked him to return the apartment he was renting to him by September 30, 2024 at the latest. (see production no. 20). In doing so, not having the means to pay a deposit and rent for a new home, he therefore joined the ranks of the homeless.
Mr. MARGUERITE is currently staying with a friend free of charge and is being monitored by the SIAO (SAMU SOCIAL “le 115”) of MARTINIQUE, in order to submit an application for CHRS housing (this acronym describes the accommodation and social reintegration centers that provide reception, housing, support and social integration for individuals and families experiencing serious difficulties in order to help them in a process of accessing or returning to autonomy. (see production no. 20).

This reality of the citizen who is no longer able to provide for his needs is indeed that of Mr. MARGUERITE, corroborated by his recent registration (August 19, 24) in the inclusion jobs program intended to reintegrate those who are excluded, with the PASS IAE number: 999992708306. (see production no. 20).

Unfortunately, in inclusion, it was unable to find any offers in Martinique that would allow him to return to work, regardless of the sector, the only ones remaining possible were those of maintenance or space agents, which he cannot apply for, given his history of allergies. His PASS IAE is therefore “valid but suspended”.
Thus, Mr. MARGUERITE, willingly or unwillingly, remains unemployed and has thus gone from the status of business manager whose average monthly income was around 3,500 euros, before the health crisis due to covid 19 to the status of homeless person and excluded from society.

Everything we have just seen attests that what Mr. MARGUERITE experienced under the yoke of the covid 19 vaccinal laws and the repercussions of which are still being felt in his daily life, is a prejudice of the type of bad luck that the French State has caused him.
Everything we have just seen attests that what Mr. MARGUERITE experienced under the yoke of the vaccinal laws against covid 19 and the repercussions of which are still being felt in his daily life, is harm of the type of loss of opportunity that the French State has caused him.
It is in order to assert his rights relating to what has just been presented above that Mr. MARGUERITE filed a request with the administrative court of Schoelcher (Martinique) on December 22, 2022. To do this, he sent this body a brief which was registered under No. “1120921939_Requete.pdf”.

Having requested damages for the losses suffered, pursuant to *[(French) article R. 431-2 du code de justice administrative],* on December 22, 2022, the administrative court of Martinique notified him by letter No. “1120961878_accreq.rtf” that in this case, he could not present his case (his affair) alone, he had to call on a lawyer. In response, on January 2, 2023, he sent a new brief to the Administrative Court of Martinique, registered under No. “1121150183_Nouveau_memoire_Kenny_Ronald_MARGUERITE_lois_vaccinales_ 01_01 _23.pdf” thus canceling and replacing the first defense brief.

On January 12, 2023, by letter registered under No. “1121502946_regreq.rtf.pdf”, the administrative court of Martinique asked him to produce the “contested act”. On the same day, he completed his file by sending it the documents that were registered under No.: “1121512775_Actes_attaques_1.pdf” et N° “1121512776_Actes_attaques_2.pdf”.

On February 15, 2023, the Martinique Administrative Court sent a letter to the Martinique Regional Directorate of Public Finances and a reminder on March 14, 2023. This was followed by a formal notice from the clerk sent on May 10, 2023 to all of the aforementioned defendants. Then, nothing, no news, it was nothingness.
Until the judgment, therefore on April 25, 2024 and since February 15, 2023, there was no reaction from the defendants, resulting in Mr. MARGUERITE's case being put on hold for this long period, which contributed to increasing his difficulties.

To continue on this theme, the progress of this case, on October 9, 2023, a notification was sent to the defendants as well as to Mr. MARGUERITE, announcing the closing date of the investigation relating to this case, set for November 9, 2023 (12 p.m.).
In addition, both parties were asked to provide any additional requests that would be useful to this case. No one is above the law. Thus, if the judge had not ruled for the closure of this case, what would have happened? The defendants' conduct contravened the referrals to the administrative court and undermined Mr. MARGUERITE's rights for many months by dragging out the investigation of his case.
To return to the progress of this case on October 9, 2023, the administrative court of Martinique notified the defendants and Mr. MARGUERITE of the closing date of the investigation relating to his case, set for November 9, 2023 (12 p.m.).

On January 8, 2024, the administrative court of Martinique sent Mr. MARGUERITE a letter asking him if he was maintaining the request registered under No. “1133518508_vxdosdem.rtf.pdf”.
The same day, he provided a response by sending the brief registered under No. « 1133529055_Requete_Kenny_ Ronald_MARGUERITE_lois_vaccinales_08_01_24. Pdf ».

In addition, a supplementary request “QPC” was registered under No. “1133559323_Memoire_pour_demarche_base_sur_Article_61_1_de_la_constitution_09_0 1_24.pdf”.
On January 10, 2024, the administrative court of Martinique asked Mr. MARGUERITE to provide this court with a summary memorandum, which he did on January 12, 2024 and which was registered under No.:

“1133714030_MEMOIRE_RECAPITULATIF_Kenny_Ronald_MARGUERITE_lois_vaccinales_12_01_24_1.pdf”.

On March 14, 2024, the Martinique Administrative Court notified Mr. MARGUERITE, through its clerk, of the following:
“[…] Sir, you benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros, taking into account the cancellation of the enforceable title issued by the DRFIP on October 21, 2021”.

On March 15, 2024, the administrative judges of Martinique, in charge of his case, chose to place the General Secretariat of the Government and the Ministry of Economy, Finance and Industrial and Digital Sovereignty-DAJ, as observers instead of their roles as defendants, while the State's responsibility is engaged in Mr. MARGUERITE's case, which we demonstrate.

Let us now return to the letter that the administrative court of Martinique sent to Mr. MARGUERITE on March 14, 2024. In these lines, it is clearly stated that he has **“benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros”.**

This false and unfounded statement is discriminatory against him. Indeed, although he received the solidarity fund from March to December 2020, no subsidy was paid to him for the months of January and February 2021.
Mr. MARGUERITE contested these false allegations on April 11, 2024.

In this letter of complaint, he asked the administrative judges in charge of his case to allow him to register a new defense brief, intended to shed light on what they wrongly attributed to him.

Unfortunately, the judges in charge of his case discriminated against him, not only by not allowing him to register a new brief in order to defend himself efficiently, but also by deciding to judge his case anyway, on erroneous bases that they themselves had established by refusing any new element that would allow the error to be noted.

And to top it all off, instead of doing justice to Mr. MARGUERITE, based on reliable data, these magistrates chose to legally strike him, the victim, while sparing those who wronged him, because these administrative judges of Martinique established that he should pay a fine. Here is the content of what they established: **“Meaning of the conclusions: Rejection on the merits: Rejection of the request and fine for abusive appeal”.**

It is important to note that although Mr. MARGUERITE's case No. 2200745 was judged on April 25, 2024, on April 28, 2024 on his citizen tele-recourse account, at that time, the displayed note was: **“under deliberation”.**

It is with this reality relating to the progress of his case, that in order to make his voice heard so that the judgment established by these judges, on erroneous evidence, is annulled that Mr. MARGUERITE filed an urgent appeal with the interim relief judge of the Council of State before the decision of these magistrates was ratified.
This, for the establishment of an interim suspension, in accordance with the provisions of *[Article L. 521-1 of the Code of Administrative Justice].* His application was registered under number 493865. On May 6, 2024, the interim relief judge of the Council of State dismissed Mr. MARGUERITE's application by his *[(French) Ordonnance du 6 mai 2024, affaire N° 493865].*

Then on May 7, 2024, the notification of judgment of Mr. MARGUERITE's case was sent to him by the Administrative Court of Martinique, and the decision was as follows:

“[…] D E C I D E S : Article 1: There is no need to transmit to the Council of State the priority question of constitutionality raised by Mr. Marguerite.
Article 2: Mr. Marguerite's application is dismissed. […]”

This judgment based on the erroneous facts, already denounced, is a grievance to Mr. MARGUERITE, because it produces unfavorable effects with regard to his rights. He then filed an appeal in cassation with the Council of State on June 16, 2024, in the context of his case No. 2200745, registered under No. 495171, via the citizen's tele-appeal.

However, he was notified by the Council of State on June 18, 2024, that he absolutely had to be represented by a lawyer so that his appeal in cassation could be maintained.

On June 18, 2024, Mr. MARGUERITE made a request for legal aid to the secretariat of the legal aid office, litigation section, which was registered under No. 2401729, but which was refused and notified by registered letter with acknowledgment of receipt dated July 16, 2024.

On July 10, 2024, Mr. MARGUERITE not having been eligible for legal aid, and not having the means to pay for the services of a lawyer, to represent him in his case, he withdrew his appeal in cassation.

Shortly before the case he filed with the Council of State, Mr. MARGUERITE had already made a request for legal aid to the secretariat of the legal aid office of the Fort-de-France judicial court on May 13, 2024, which was registered under number C–33063-2024-010845. This court informed him, by letter dated July 16, 2024, that this jurisdiction was not competent to examine his application and that it was transferring his file to the Bordeaux judicial court.
By letter dated August 23, the Bordeaux judicial court informed Mr. MARGUERITE that his application did not fall within its remit, but within those of the administrative jurisdiction of the Bordeaux Court of Appeal, and that the number of his application for legal aid was therefore registered under the new number, 2024/2442.
Mr. MARGUERITE's application for legal aid was accepted by the legal aid office of the Bordeaux Administrative Court of Appeal, which also appointed him a court-appointed lawyer.

Mr. MARGUERITE then filed an appeal for abuse of power with the BORDEAUX Administrative Court of Appeal on 27 November 2024, which was registered under No. 2402804 and aimed at demonstrating that the judgment issued for his case No. 2200745, the hearing of which was held on 25 April 2024, was not carried out in complete fairness, in breach of *[(French) Article 47 de la Charte des droits fondamentaux de l'Union européenne – Droit à un recours effectif et à accéder à un tribunal impartial].*

The objective of Mr. MARGUERITE's approach is to ask the administrative court of appeal of BORDEAUX to annul this judgment established for his case no. 2200745, the hearing of which was held on April 25, 2024, as well as to take into account the new elements that the administrative court prevented him from producing to defend himself effectively against the various discriminations he suffered.

These new elements presented the discriminations, against the backdrop of covid 19, suffered by Mr. MARGUERITE and were part of the new brief, which he proposed to the administrative court of Martinique, to produce on March 18, 2024, intended to assert his rights and which the administrative judges rejected.

These facts are notified in the section entitled **“Presentation of the reality of Mr. MARGUERITE's rights discriminated against by the administrative court of Martinique in the context of his case”.**

Which, among other things, motivated this appeal of his case.

As the facts that Mr. MARGUERITE incriminates, in this appeal of his case which was registered under No. 2402804 by the Télé-recours citoyens at the central registry of the administrative court of appeal of BORDEAUX on November 27, 2024, present the unconstitutional nature of the vaccinal laws against covid 19, the Sunday (dominical) laws, the laws which carry the solidarity fund, as well as those which allow a civil servant to harm an individual with impunity, without being sanctioned, they fall within the framework of the priority questions of constitutionality, in parallel with his file No. 2402804 he seized the administrative court of appeal of BORDEAUX, so that a QPC is set up.

It is in this state that the case which is the subject of the present application presents itself.

Article 61-1 de la Constitution (French), provides that: "When, during proceedings in progress before a court, it is argued that a legislative provision infringes on the rights and freedoms guaranteed by the Constitution, the Constitutional Council may be referred to this question upon referral from the Council of State or the Court of Cassation, which shall rule within a specified period. An organic law shall determine the conditions of application of this article."

3 DISCUSSION

1) By this statement of defence, the applicant intends to demonstrate that this application for priority questions of constitutionality on the basis of [(French) Article 61-1 de la Constitution du 4 octobre 1958], which he has filed, is well-founded, in that it tends to prove that all or part of the legislative texts on which the vaccinal laws against covid 19 and the Sunday (dominical) laws are based, are devoid of any foundation in law or in fact and suffer from external illegality in the sense that they have infringed the fundamental rights conferred on the applicant by the French Constitution and are unfounded at the legislative level;
In view of the foregoing, all or part of the decrees or the covid 19 vaccination laws or the Sunday laws as a whole that have been introduced in France contravene the constitution, and in so doing these laws or decrees or their parts, still in force, are unconstitutional and must be repealed;

2) By this statement of defence, the applicant also intends to demonstrate that this application for priority questions of constitutionality on the basis of [(French) Article 61-1 de la Constitution du 4 octobre 1958], which he has filed, is well-founded, in that it tends to prove that all or part of the legislative texts which are based on the bases allowing the secure tax server to calculate the amount of the solidarity fund for business leaders, by calculations deemed random and discriminatory and which have harmed the applicant, which contravenes European standards which take precedence over French legislation;
In doing so, they therefore become null and void in this case, because they suffer from external illegality in the sense that they have infringed the fundamental rights conferred on the applicant by the French Constitution and are unfounded at the legislative level;

3) By this statement of defence, the applicant also intends to demonstrate that this application for priority questions of constitutionality on the basis of [(French) Article 61-1 de la Constitution du 4 octobre 1958], which he has filed, is well-founded, in that it tends to prove that all or part of the legislative texts relating to disciplinary sanctions to be taken for a civil servant are deficient and leave room for discrimination;
Indeed, when the administrative hierarchical bodies that must appoint the disciplinary college intended for a civil servant who is at fault do not act, the civil servant in question can harm an individual with complete impunity, without being sanctioned and the administrative courts cannot uphold the victims, because only the disciplinary council of his "peers" has the competence to do so.
Thus, the legislative texts established in this context contravene European law.

4 New evidence on the responsibility of the civil servant Mr. Vincent GUILGAULT, as head of the FIP accounting department other categories, in the alleged external illegality:

In this part we will present you with new evidence which demonstrates that the civil servant Mr. Vincent GUILGAULT deliberately infringed the right conferred by the European Union and French legislation on Mr. MARGUERITE.

In the context of case no. 2200745 which was handled at first instance by the administrative court of Martinique, Mr. MARGUERITE presented the abuses he suffered from the civil servant Mr. Vincent GUILGAULT, against his company Kenny MARGUERITE (ÉDITION GALAAD), bearing the Siret number 422 825 885 000 60 and the NAF code: 5811 Z.
We will provide you with proof that the acts, which are incriminated here, are not isolated or trivial facts, because the civil servant Mr. Vincent GUILGAULT also harmed Mr. MARGUERITE's second company, the company les Édition Dieu t'aime sas (EDT SAS) bearing the Siret number: 80810019200018 - NAF code: 5811 Z.
In addition, in the context of the case of No. 2200745 which was handled at first instance by the Administrative Court of Martinique, Mr. MARGUERITE presented in the context of the contradictory debate, by means of briefs the content of emails that he had exchanged with the public finances through his secure mailbox within the tax service of Lamentin (Martinique), but had not been able to demonstrate, with legislative evidence in support, the merits of these documents provided.

It is important to recall that in the context of case No. 2200745 which was handled at first instance by the Administrative Court of Martinique, that neither the tax service of Lamentin (Martinique), nor the Regional Directorate of Public Finances of Martinique, complied with the requests for additional documents from the administrative judges in charge of this case.

In doing so, it was, in our opinion, difficult for the administrative judge of Martinique to have a clear vision of the discriminatory nature of the processing of these requests that the civil servant Mr. Vincent GUILGAULT had against Mr. MARGUERITE, this contravening the obligations of civil servants to which he is subject.
These new facts and new documents deserve, in our opinion, to be taken into account by the administrative court of appeal of BORDEAUX in the context of this appeal that Mr. Kenny Ronald Marguerite requests for his case no. 2200745, because they demonstrate that the processing of Mr. MARGUERITE's files by Mr. Vincent GUILGAULT was far from complying with the applicable regulations in this matter. The facts highlighted and criticized could almost suggest that it was a “personal vendetta” orchestrated against Mr. MARGUERITE.

Let us begin this presentation by taking into account the behavior of the civil servant Mr. Vincent GUILGAULT, based on his own interpretation of the texts, with regard to the company Kenny MARGUERITE (GALAAD EDITION).
It all begins when in his *[Response email that SIP LAMENTIN sent to Mr. MARGUERITE on 01/02/2021, for his request for solidarity fund No. 1096133305 of 25/01/2021],* Mr. Vincent GUILGAULT established the following:
“Good morning, this notification is issued by the Directorate General of Public Finances under the solidarity fund for companies co-financed by the State and the Regions. The payment of your aid application cannot be completed. **The information in the application does not match that in the possession of the administration.**
A new application can be filed with the administration, taking care not to make a mistake on the reference turnover.

You have a period of fifteen days from receipt of this message to submit your observations to the DGFiP department managing your file. Kind regards. Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES."*(translated into English from the original text).*

This official informed Mr. MARGUERITE that the payment of the solidarity fund had not been successful for his company, because the information he had provided, in this case the turnover of his company did not correspond to that held by the tax authorities.
Mr. Vincent GUILGAULT also notified him that he could repeat his request, however, taking care not to make a mistake on the reference turnover that he would declare.
Mr. MARGUERITE sent him the response email *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1096781962. of 02/02/2021]* which establishes the following: *"Good morning, my request for help for companies weakened by covid, was rejected because the income that I declared is not known to you, or that the amount that I declare is not the right one.* **I come to provide you with additional information. My income for the year 2019 was 17,770 euros for five months of activity.** *The company was registered on 02/08/2019. Thus by dividing my income by five, so August, September, October, November and December which gives me:*
17,770 divided by five equals 3,554 euros. This figure is the one I declared for my income and you have in the machine, so I don't understand! In addition if I take into account my activity month by month, the month of December was the biggest month in which there was 4488 euros of turnover, the first two months of activity having been lower.
Normally my income was 4,488 euros in December 2019 and it is this figure that you should take into account. But I made the request successively with the 4488 euros, you rejected it, then "against bad fortune, good heart", I have just made the declaration again with the 3554 which you also rejected. **I am enclosing my Kbis which presents the start of my company's activity, and I would like to provide you with the customer invoices for the month of December 2019 who demonstrate the 4488 euros of income from my company for that month.** *Being at your disposal, to bring you the billers and in order to have an appointment in order to regularize this matter.*
In everything the Lord be with you and with your family. Kenny Ronald MARGUERITE. Attachments: KBIS-GALAAD-25-09-20.pdf" (translated into English from the original text)]. (see production no. 21). (translated into English from the original text).

Mr. MARGUERITE presented here to Mr. GUILGAULT, the problem he encountered in completing the application for the solidarity fund, due to the fact that his company was registered on August 2, 2019 and in doing so for the year 2019 he only had five months of tax activities, the turnover being **17,770 euros** for this period, which represents **3,554** average monthly. In addition, he explained to Mr. Vincent GUILGAULT that the secure tax server did not take into account the monthly base established, i.e. 3,554 euros, from the turnover over this 5-month period. His application was systematically rejected.
It is for this reason that Mr. MARGUERITE declared the amount of his turnover for that month, therefore December 2020 and which was **4,488 euros,** but his application was rejected. For greater clarity, he offered to send Mr. Vincent GUILGAULT the invoices (customers) attesting to the truth of his statements and he offered to be at the disposal of this official for an appointment to regularize the situation. It is also important to note that Mr. MARGUERITE also sent a duplicate of the email he sent to Mr. Vincent GUILGAULT to Ms. Frédérique COLIN, administrator of public finances: *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1096782405 of 02/02/2021].*

Thus, we have the proof that the public finances of Martinique were aware of the problem of the **5 months** of life of the company Kenny MARGUERITE (ÉDITION GALAAD) and of the request which was systematically rejected by the secure server of the Martinique taxes since the calculation of the subsidy was carried out on the turnover of this company over twelve months.

Moreover, we see that since February 2, 2021, Mr. Vincent GUILGAULT was aware of this information, especially since Mr. MARGUERITE sent him the Kbis of his company attesting to this reality. It is true that being a human being, this public finance official could have forgotten that he had already processed Mr. MARGUERITE's request. On the other hand, he could not have been unaware of this reality during the months that followed, since Mr. MARGUERITE sent him, among other things, the following additional emails:

- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1097245504. of 02/09/2021]. (see production No. 21).*
- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1100095336 of 03/17/2021]. (see production No. 21).*

What is presented here demonstrates that on three occasions, on **February 2, 2021, February 9, 2021** and **March 17, 2021,** as we have just seen, Mr. Vincent GUILGAULT, head of the FIP accounting department for other categories, received from Mr. MARGUERITE the KBIS of his company Kenny MARGUERITE (GALAAD EDITION) which presents the reality of the **3,554 euros** per month of turnover of this company for the **year 2019.** In addition, Mr. MARGUERITE explained each time to this official that the turnover for the **year 2019,** the basis for calculating these requests from the solidarity fund, was **3,554 euros** per month which resulted from the annual turnover of **17,770.50** euros calculated over **5 and** not over **12 months.**

Thus, the reality of these 3,554 euros, Mr. Vincent GUILGAULT, had proof of it three times, in addition, Ms. Frederique COLIN, administrator of public finances, was also informed of it, by email of February 2, 2021, we have already reported it.
It is important to note that according to the statements of this official, the department responsible for managing the solidarity fund was also informed, since this is what Mr. Vincent GUILGAULT displays in the *[Response email that SIP LAMENTIN sent to Mr. MARGUERITE on February 2, 2021]* which establishes the following:
"Good morning, I am sending your message to the service responsible for managing the solidarity fund, for further action. Cordially. **Mr. Vincent GUILGAULT HEAD Head of the accounting department – FIP other categories". (translated into English from the original text).**

In addition, Mr. Vincent GUILGAULT brought to Mr. MARGUERITE's attention a new element, that of an unpaid amount of 1,509 euros that he owed under the CFE for the years 2016 to 2020. This information was communicated by the *[Response email to his request No. 1097245504. that the SIP LAMENTIN sent to Mr. MARGUERITE on 02/09/2021]* which establishes the following: **"Good morning, given these explanations, you can renew your request,** *but you should also update the CFE 2016 to 2020 for 1,509 euros. Cordially".* **Mr. Vincent GUILGAULT** *Head of the accounting department – FIP other categories". (translated into English from the original text).*

This is the first time that this reason has appeared and that it was reported as an obstacle to Mr. MARGUERITE's collection of the solidarity fund.
A priori, according to what he was notified of, as soon as this unpaid amount was regularized, he could repeat his request. This is how, in order to regularize this debt, he set up a payment schedule, as evidenced by the following emails:

- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1097335668 of 02/10/2021]. (see production No. 21).*
- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1097523078 of 02/12/2021]. (see production No. 21).*

Following this, Mr. MARGUERITE received the response *[Response email for Mr. MARGUERITE's request No. 1097523078 that SIP LAMENTIN sent to him on 02/12/2021]* which establishes the following: **"Good morning, I have taken note of these payments.**

Kind regards. Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES." *(translated into English from the original text).*

We discover here by his email dated February 9, 2021 that having taken note of the document that Mr. MARGUERITE sent him, therefore the KBIS of his company Kenny MARGUERITE (GALAAD EDITION), Mr. Vincent GUILGAULT, recognizes his eligibility for the solidarity fund, then in his email of February 12, 2021, he recorded the payment of Mr. MARGUERITE with regard to the schedule that he granted him in order to regularize his unpaid debts, already explained.
It should be noted that through the returns of documents that Mr. MARGUERITE sent to the tax service of Lamentin (Martinique), he proved his eligibility for the solidarity fund for his company, because here are the bases which support this subsidy and which are notified in *[Décret n° 2020-371 du 30 mars 2020 relatif au fonds de solidarité à destination des entreprises particulièrement touchées par les conséquences économiques, financières et sociales de la propagation de l'épidémie de covid-19 et des mesures prises pour limiter cette propagation],* which establishes the following:
"*The financial aid provided for in Article 3 takes the form of subsidies awarded by decision of the Minister of Action and Public Accounts to the companies mentioned in Article 1 of this decree that meet the following conditions: [...].* **- or, for companies created after March 1, 2019, in relation to the average monthly turnover over the period between the date of creation of the company and February 29, 2020; [...]**
8° The amount of their turnover recorded during the last closed financial year is less than one million euros. For companies that have not yet closed a financial year, the average monthly turnover over the period between the date of creation of the company and February 29, 2020 must be less than 83,333 euros." (translated into English from the original text).

The company Kenny Ronald MARGUERITE (ÉDITION GALAAD) having generated for the year 2019 a total turnover of **17,770 euros** which represents a monthly average of **3,554 euros** (see production n° 4) is therefore eligible for this subsidy, because this annual amount is less than **83,333 euros** monthly and is below one **million euros** for the year 2019. Thus, Mr. MARGUERITE's company therefore meets the eligibility criteria for this subsidy. In addition, having regularized his tax debt, by setting up a payment schedule, he should therefore have received this subsidy.
Considering that despite everything, the secure Martinique tax server blocks and rejects the solidarity fund requests that Mr. MARGUERITE had subscribed to since it is a programming, the hand of man, in this case, that of Mr. Vincent GUILGAULT, having received the proof of his eligibility, could have made the difference by reestablishing reality in order to avoid the systematic rejections of regularization requests.
However, this is what happened in the following emails. The [Response email that SIP LAMENTIN sent to Mr. MARGUERITE on 02/12/2021] establishes the following: "Good morning, **a priori, your company is not or no longer eligible for this assistance from the solidarity fund.** *Cordially.* **Mr. Vincent GUILGAULT,** *Head of the accounting department – FIP other categories" (translated into English from the original text).*

The [Email that SIP LAMENTIN sent to Mr. MARGUERITE on 08/16/2021 to request information on his application for solidarity fund No. 1111149663 of 08/16/2021] states the following: **"Good morning, please prove the monthly turnover for the reference period that you mention, i.e. €3,554. […]."** *(translated into English from the original text).*

The [Email that SIP LAMENTIN sent to Mr. MARGUERITE on 10/15/2021 to request information on his application for solidarity fund No. 1115589227 of 10/15/2021] states the following:
"Good morning, can you prove the monthly turnover for the reference period that you mention, i.e. €3,554? […]." (translated into English from the original text).

The *[Mail that SIP LAMENTIN sent to Mr. MARGUERITE on 03/02/2022 in order to ask him for information on his request for solidarity fund No. 1123245815 of 03/02/2022]* establishes the following: **"[...] Furthermore, please prove the monthly turnover for the reference period that you mention, i.e. €3,554. […]." (translated into English from the original text).**

It is important to note that these rejections of Mr. MARGUERITE's solidarity fund applications by Mr. Vincent GUILGAULT, extended over many months, almost a year, here we see that the first email is dated February 12, 2021 and the last February 3, 2022.
Based on the content of the last three emails that we have just seen, dated August 16, 2021, October 15, 2021 and February 3, 2022, one might think that this person in charge of Mr. MARGUERITE's file, Mr. Vincent GUILGAULT, deliberately chose to treat him in a way that suited him, unrelated to the texts that he is supposed to apply since the reasons for the rejections were no longer coherent.
Indeed, the reasons given were this sum of 3,554 euros, which he asked Mr. MARGUERITE to justify while we saw that the tax services of Lamentin (Martinique) as well as himself had received on numerous occasions the documents attesting to his eligibility for this subsidy and that worse, he had acknowledged having received them.

To continue, we will tell you that although hurt by the fact that this official who is unknown to him seemed to act deliberately to take away this only possibility of subsistence, which remained to him due to his unvaccinated status, preventing him from exercising his professional activity, Mr. MARGUERITE nevertheless persevered.
To do this, he sent to the Lamentin tax service the *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1115604512 of 10/15/2021]* which establishes the following: **"Good morning, following my request for aid to companies weakened by covid No. 1115589227, I received in return this request for additional information.**
"Can you prove the monthly turnover for the reference period that you mention, i.e. €3,554? Kind regards". In return, I will send you the requested supporting documents. 1 Kbis showing the registration date of my company as well as my tax return which shows the amount of my income for this company and for the reference period, which is 2019; as well as my 2019 tax notice.
It is important to note that for this reference period which is the year 2019 the company was registered on 02/08/21, so the income of my company must not be divided by twelve months, but by the number of months that runs from the registration of this company, namely 5 months, August 2019, September 2019, October 2019, November 2019 and December 2019. Thus 17,770 euros divided by 5 months of activity therefore represents a monthly income for this company which is 3,554 euros for the year 2019. *Best regards, Kenny MARGUERITE. Attachments:*

- *Avis_d_impot_2020_sur_les_revenus_2019.pdf*
- *KBIS.pdf*
- *Declaration_en_ligne_des_revenus_2019_le_20_04_2020_a_22_08_.pdf". (voir production n° 21). (translated into English from the original text).*

Here is the feedback that Mr. MARGUERITE received, the *[Response email that SIP LAMENTIN sent to Mr. MARGUERITE on 10/18/2021]* states the following:
"Good morning, given these elements, can you renew your request for assistance? Best regards. Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES." (translated into English from the original text).

Following this, Mr. MARGUERITE resubmitted his request for the solidarity fund, which was accepted. However, there were still the months of January and February 2021, which had still not been regularized under the solidarity fund. In doing so, on November 22, 2021, almost 8 months later, since his first request, Mr. MARGUERITE therefore undertook to make a follow-up (a relaunching) which had remained, a few months ago, unanswered.

To do this, he sent to the Lamentin (MARTINIQUE) tax authorities the *[Mail from Mr. MARGUERITE to SIP LAMENTIN, No. 1118337527. Dated 11/22/2021]* which establishes the following: **"Hello, I am getting back to you with a view to being informed please.**
While I am entitled, for my company, to aid for companies weakened by covid 19, several months have not been paid to me - this is approximately the entire first half of 2021. I have filed complaints that have remained unanswered because I have not received any feedback. The proof of my eligibility for this subsidy is that I received it before and after the period that I have just presented to you. Is this normal?
I am attaching one of these complaints. **I would like to understand what is happening please.** *I thank you in advance. May God be with you. Mr. Kenny Ronald MARGUERITE.*
My request No. 1100095464. To: SIP LAMENTIN Hello, my requests for aid No. 1099951013, No. 1099687813, No. 1099687498, No. 1098173791 for companies weakened by covid, were rejected because they do not meet the conditions set out in decree 2020-371 of March 30, as amended. I am contesting this decision because my company meets these standards.
I am in compliance with my tax obligations, and my company, although it had a deficit balance sheet, had revenues in 2019. Its turnover for the year 2019 was 56,684 euros, which represents 4,723.66 at the monthly level.
The subsidy for companies weakened by covid is paid on the basis of monthly turnover and not that of the annual balance sheet. *Proof of this is on your site in the section reserved for the subsidy, here is what is presented:*
During the period from November 1, 2020 to November 30, 2020, my company suffered a loss of turnover. Monthly turnover for the reference period: Monthly turnover for the period between.... Based on these elements, my company is therefore eligible for this subsidy." (see production no. 21). (translated into English from the original text).

As Mr. MARGUERITE had chosen the wrong company, in this same exchange, he sent this second email *[Additional email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1118337527. Dated 11/22/2021]* which establishes the following: **"Good morning again, I made the wrong company for this request, I apologize, I am sending you the correct information for my request and which concerns my company:**
SIRET: 422825885 00060. Company name: MARGUERITE KENNY Address of the establishment: CALIFORNIE24, IMP PY 97232 LE LAMENTIN. Region: MARTINIQUE.
My request N° 1100095336. A: SIP LAMENTIN. Good morning, my aid requests N° 1099688204 and N° 1099951295 for companies weakened by the covid, were rejected because the income that I declared is not known to your services, or that the amount that I declare n is not the right one. I am here to provide you with further information.
My income for the year 2019 was 17,770 euros for five months of activity.
The company was registered on 02/08/2019. So by dividing my income by five, so August, September, October, November and December which gives me 17,770 divided by five is equal to 3,554 euros. This figure is the one I declared for my income and that you have in machine. Thank you for regularized please.
I attach you my Kbis which presents the beginning of my business activity.
In everything may the Lord guide you. Kenny Ronald MARGUERITE." (translated into English from the original text).

In return, Mr. Vincent GUILGAULT sent Mr. MARGUERITE for his two requests the *[Response email to Mr. MARGUERITE from SIE LAMENTIN on 11/22/2021]* which establishes the following: **"Good morning, I took note of it. Cordially. Mr. Vincent GUILGAULT Head of the accounting department – FIP other categories." (translated into English from the original text).**

Please note that Mr. MARGUERITE made this last request on November 22, 2021 and Mr. Vincent GUILGAULT responded to him the same day. However, years later, no follow-up has been given.

This means that from Mr. MARGUERITE's first complaint in *[Mr. MARGUERITE's email to SIP LAMENTIN, for his request No. 1100095336 of 03/17/2021] (see production No. 21)* to this day, this matter has been pending for more than three years and he has not received any response.

Let's continue with the *[Email that Mr. MARGUERITE received from the Director General of Public Finances]* which establishes the following:
"General Directorate of Public Finance. To contact us: email address to contacted:Fondsdesolidarite1030@dgfip.finances.gouv.fr. *Paris, 06/11/2021, subject: Recovery of sums unduly received under solidarity funds.* **Madam, Sir, in accordance with article 3-1 of ordinance n° 2020-371 of March 30, 2020, a control of aid paid under the solidarity fund was carried out against MARGUERITE KENNY, RONALD (422825885).**
By email of April 26, 2021, you were invited to provide supporting evidence for your turnover for 2019 and 2020.
The control leads to an undue. A collection voucher for the total amount of 19,468 euros will therefore be issued against you. *[…] Please believe, Madam, Sir, in the expression of my highest consideration. The Director General of Public Finances". (translated into English from the original text).*

Mr. MARGUERITE does not understand the content of this email, especially since it is specified that on April 26, 2021, he was asked to justify his turnover for the years 2019 and 2020, which he did.
To regularize this situation, on June 27, 2021 at 3:53 p.m., Mr. MARGUERITE sent a response email to the Director General of Public Finances and then waited, knowing that the administration has its own management time.
Nevertheless, on August 10, 2021 at 9:43 a.m., seeing nothing coming and not wanting to "give up", Mr. MARGUERITE sent a complaint reminder email but once again, he received no response. However, at the time, he attributed this to the probable understaffing due to Covid 19 and the administrative slowness that had increased.

Mr. MARGUERITE was therefore not overly concerned, especially since the documents requested from him were already available to the tax authorities. In addition, he had all the traces of the numerous exchanges he had had with Mr. Vincent GUILGAULT and he knew that he had provided all the proof of his eligibility for this subsidy.
However, he was very surprised to receive the postal letter *[Titre de perception, DRFIP MARTINIQUE, Finances Publique, numéro de factu re : ADCE212600066301, date d'émission : 21/10/2021. Numéro d'état de récapitulatif : 34269]* which states the following:
"Your situation: Amount paid: 19468,00 €. Deadline for payment: 15/12/2021.
Purpose of the credence: Overpayment of aid paid in application of decree n° 2020-371 of March 30, 2020 as amended, within the framework of the solidarity fund *created by ordinance n° 2020-317 of March 25, following the request of the company MARGUERITE KENNY RONALD, (422825885) for your establishments for the period from March 2020 to February 2021.*
Reason of the repetition of the undue: Non-respect of the conditions of eligibility relating to the turnover – cf letter of 11.06.21, warned by decree above. [...]" (see production no. 11). (translated into English from the original text).

The question that Mr. MARGUERITE is asking himself is how his email could not reach the Tax Department, he is not going to play on paranoia and think that it only happened to him but in this case, if the problem of non-receipt can arise in this type of exchange with users, why does the tax department only keep contacts by email, specifying clearly that this is the only mode of communication.
Nevertheless, for the moment Mr. MARGUERITE is giving the benefit of the doubt to the Director General of Public Finances.

On the other hand, as far as Mr. Vincent GUILGAULT is concerned, there can be no doubt! So, how can we interpret what is happening?

It takes a lot of effort, with all these repeated errors in the processing of Mr. MARGUERITE's file, not to think that Mr. Vincent GUILGAULT deliberately sought to harm him because, on the one hand, he does not process his claims, more than a year without a response, for some and on the other hand, not having done his job, as he should, Mr. MARGUERITE finds himself being penalized with the *[Titre de perception, DRFIP MARTINIQUE, Finances Publique, numéro de factu re : ADCE212600066301, date d'émission : 21/10/2021. Numéro d'état de récapitulatif : 34269] (see production no. 11).*

Thus, as we have just seen, one of the most flagrant proofs that demonstrates that Mr. Vincent GUILGAULT, has contravened his prerogatives as a civil servant, is this collection title, that Mr. MARGUERITE received from the DRFIP MARTINIQUE, asking him to reimburse €19,468.00. (see production no. 11).
It is the height of irony, this civil servant treats Mr. MARGUERITE's file lightly, does not transmit the supporting documents to do him justice and as a bonus, it is he who is wronged but in addition, he is being asked for a sum allegedly paid in error.

As we have seen, the turnover of Mr. MARGUERITE's company makes him eligible for this subsidy and he has repeatedly provided evidence demonstrating this to Mr. Vincent GUILGAULT, who was throughout these requests from the solidarity fund his “imposed” contact. Mr. MARGUERITE provided him with elements allowing him to clearly establish that his company Kenny Ronald MARGUERITE (ÉDITION GALAAD) met the criteria to be eligible for this subsidy.

Thus, it was 5 times that Mr. MARGUERITE had to send the documents and explanations demonstrating to Mr. Vincent GUILGAULT, his eligibility and this, by the following emails and which we have already considered:

- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1096781962. Of 02/02/2021] (see production No. 21),*
- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1097245504. Of 09/02/2021] (see production No. 21),*
- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1100095336 of 03/17/2021] (see production No. 21),*
- *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his application No. 1115604512 of 10/15/2021] (see production No. 21),*
- *[Additional email from Mr. MARGUERITE to SIP LAMENTIN, for his application No. 1118337527. Of 11/22/2021] (see production No. 21).*

In addition, we have also seen that the monthly turnover of 3,554 euros of Mr. MARGUERITE's company inducing its eligibility for the solidarity fund, Ms. Frédérique COLIN as well as the department responsible for managing the solidarity fund were also aware of it, review the *[Email from Mr. MARGUERITE to SIP LAMENTIN, for its application No. 1096782405 of 02/02/2021]. (see production No. 21).*
However, Mr Vincent GUILGAULT was, throughout the procedure, Mr MARGUERITE's contact and it was his poor analysis or quite simply his lack of analysis which was the cause of the systematic rejection of his complaints.

Based on all this, we understand that this collection order received on **October 21, 2021,** ordering him to reimburse €19,468.00 under the solidarity fund on the grounds of **“non-compliance with the eligibility conditions relating to turnover” (see production no. 11)**, is one of the most flagrant proofs that Mr. Vincent GUILGAULT failed in his duty and contravened his prerogatives, as a civil servant, because if he had handled Mr. MARGUERITE's file efficiently, none of what we have just seen would have happened.

Neither these untimely rejections of the solidarity fund, nor this collection order claiming from Mr. MARGUERITE a subsidy allegedly paid in error. So when Mr. Vincent GUILGAULT again rejects the requests for the solidarity fund, this demonstrates that his behavior is discriminatory towards Mr. MARGUERITE and he puts unjustified pressure on him because, we repeat, both his department and himself in particular, as Mr. MARGUERITE's privileged contact, were aware of what we have just presented to you.

In addition, while he had an obligation to respond to requests for information from the public, he freed himself from this obligation, remaining silent for several months and not responding to the following email from Mr. MARGUERITE *[Email from Mr. MARGUERITE to SIP LAMENTIN, for his request No. 1100095336 of 03/17/2021] (see production no. 21)* and particularly damaging, he did not transmit to the appropriate person the supporting documents that he had received from Mr. MARGUERITE and which would have allowed the situation to be resolved, all of this constitutes professional misconduct.

To continue, it is important to note that Mr. Vincent GUILGAULT is not a novice agent who could make certain errors through inexperience but, he is, according to the function mentioned during the various exchanges with Mr. MARGUERITE, **the head of the FIP accounting department other categories,** which not only gives him power, but also makes his responsibility in this matter much greater.
Thus, by virtue of his position as head of the FIP accounting department for other categories, Mr. Vincent GUILGAULT could not ignore the realities presented in *[Décret n° 2020-371 du 30 mars 2020 relatif au fonds de solidarité à destination des entreprises particulièrement touchées par les conséquences économiques, financières et sociales de la propagation de l'épidémie de covid-19 et des mesures prises pour limiter cette propagation],* nor the eligibility of Mr. MARGUERITE for this solidarity fund, since the income he declared for 2019, as well as the supporting documents provided, attested to this.

To continue, we will tell you that the similar behavior of Mr. Vincent GUILGAULT, with regard to the other company of Mr. MARGUERITE, Édition Dieu t'aime sas (EDT SAS) bearing the Siret number: 80810019200018 – NAF Code: 5811 Z. For this company, Mr. MARGUERITE initially received the solidarity fund for several months (see productions no. 22 and 23), then there was a stoppage of the payment motivated by his tax debts relating to the CFE. He requested a payment schedule from the tax authorities which was accepted by Mr. Vincent GUILGAULT.

Here are the exchanges that Mr. MARGUERITE had, on this subject with this official.
The *[Email from Mr. MARGUERITE to SIP LAMENTIN No. 1097462024. of 02/11/2021]* establishes the following: *"To the attention of Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES. Hello again Mr. GUILGAULT, Thank you for your response.*
The total amount therefore amounts, if I have calculated correctly, to 5852.23 euros. I would like to repay, please, in twelve installments, i.e. monthly payments of 487.68 euros. Does this proposal suit you?
Kind regards, Kenny Ronald MARGUERITE." (see production no. 21). (translated into English from the original text).

Mr. MARGUERITE received in return the *[Administration's response of 02/11/2021 to Mr. MARGUERITE's email to SIP LAMENTIN]* which states the following:
"Good morning, your payment schedule proposal is accepted. *Kind regards. Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES." (translated into English from the original text).*

Given this response from Mr. GUILGAULT, Mr. MARGUERITE began making payments to settle his tax debt for his two companies.

From the first payment on February 12, 2021, he sent Mr. Vincent GUILGAULT the *[Email from Mr. MARGUERITE to SIP LAMENTIN No. 1097523078, dated February 12, 2021].* (see production no. 21) so that he would be informed of the effectiveness of his approach under the two payment schedules that he had set up for his two companies.

As this tax debt seemed to be the obstacle to his eligibility, Mr. MARGUERITE had wrongly thought that the schedule that he had set up to settle it would have automatically allowed him to benefit from the solidarity fund for his companies, but this was not the case.
He then filed a complaint to find out whether or not he was eligible for the solidarity fund for his company les Édition Dieu t'aime sas (EDT SAS) by *[Email from Mr. MARGUERITE to SIP LAMENTIN No. 1098159474, dated 02/23/2021]. (see production no. 21).*
The response he received is as follows *[Response from the administration dated 02/26/2021 to Mr. MARGUERITE's email, No. 1098159474, sent to SIP LAMENTIN]* which establishes the following:
"Good morning, A priori, your company is not eligible for assistance from the solidarity fund. Furthermore, we cannot verify the reality of the loss of turnover. Kind regards. *Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES." (translated into English from the original text).*

In this email, Mr. Vincent GUILGAULT notifies Mr. MARGUERITE that a priori, his company was not eligible for the solidarity fund because he could not verify the reality of the loss of turnover of his company Édition Dieu t'aime sas (EDT SAS).
In return, in order to provide him with the information, Mr. MARGUERITE sent him the email *[Email from Mr. MARGUERITE to SIP LAMENTIN. No. 1098657115. of 02/26/2021]* which establishes the following: *"To the attention of Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES. Hello Mr. GUILGAULT.*
Thank you for your feedback, you notify me that a priori, my company is not eligible for this aid for companies weakened by covid, and that you cannot quantify these losses, I put at your disposal the account statements of my company for the year 2019 which present the financial monitoring of the company.
And although the company did not make a profit in 2019, it had an activity and income. And unless I am mistaken, the subsidy for weakened companies is not awarded on the basis of profits but on income. If I am mistaken on the basis of the allocation of the aid and that it is on the profit that it is awarded, please notify me. Thanking you in advance! May the Lord guide you in everything! Kenny MARGUERITE." *(see production no. 21). (translated into English from the original text).*

In return, on March 1, 2021, Mr. Vincent GUILGAULT responded to Mr. MARGUERITE by the following email *[Response from the administration dated March 1, 2021 to Mr. MARGUERITE's email to SIP LAMENTIN No. 1098657115. Dated February 26, 2021]* which states the following:
"Hello, I am forwarding your new message to the department responsible for managing the solidarity fund, for follow-up.
Kind regards. *Mr. Vincent GUILGAULT HEAD OF ACCOUNTING DEPARTMENT FIP OTHER CATEGORIES." (translated into English from the original text).*

This email seemed promising, however, having received no response that could explain the non-payment of this subsidy for his company, Mr. MARGUERITE sent a new complaint to the tax service on March 17, 2021, through his *[Email from Mr. MARGUERITE to SIP LAMENTIN. No. 1100095464. 03/17/2021]* which states the following:
"Good morning, my requests for aid No. 1099951013, No. 1099687813, No. 1099687498, No. 1098173791 for companies weakened by covid, have been rejected, the reason is that it does not meet the conditions set out in decree 2020-371 of March 30, as amended.
I am contesting this decision, because my company meets these standards.

I am in compliance with my tax obligations, and my company, although it had a deficit balance sheet, had revenues in 2019. Its turnover for the year 2019 was 56,684 euros, which represents 4,723.66 at the monthly level.
The subsidy for companies weakened by covid is paid on the basis of monthly turnover and not that of the annual balance sheet. As proof, on your site in the section reserved for the subsidy, this is what is presented:
"During the period from November 1, 2020 to November 30, 2020, my company suffered a loss of turnover. Monthly turnover for the reference period:
Monthly turnover for the period between...." With these elements, my company is therefore eligible for this subsidy. *May God guide you in everything. Kenny Ronald MARGUERITE." (see production no. 21). (translated into English from the original text).*

Mr. MARGUERITE did not receive a response from the tax service to this last complaint that he sent to them. He nevertheless persevered and sent another complaint by *[email from Mr. MARGUERITE to SIP LAMENTIN. No. 1100095464. 03/17/2021] (see production no. 21),* to this administration.
As we have seen, it was Mr. Vincent GUILGAULT who was his referent for the processing of his files relating to the solidarity funds and this, for his two companies.
It is therefore he who did not respond to this last request, which nevertheless provided significant elements demonstrating the eligibility of his companies for this subsidy.

If necessary, we remind you that according to **"(French) Decree No. 2020-371 of March 30, 2020 relating to the solidarity fund [...]",** the criterion taken into account for the eligibility of a company for the solidarity fund was not the profit that the latter had generated for the year 2019, but rather the turnover.
Therefore, although Mr. MARGUERITE's company, les Édition Dieu t'aime (EDT) SAS had a deficit of **4,147 euros in 2019,** its annual turnover for that year was **56,684 euros,** or a monthly average of **4,723.66 euros,** this company is therefore eligible for the solidarity fund.

Thus, if Mr. Vincent GUILGAULT had taken into account the complaint *[Email from Mr. MARGUERITE to SIP LAMENTIN. No. 1100095464. 03/17/2021] (see production no. 21)* that Mr. MARGUERITE had sent to the Lamentin tax service, since the date of this email which is March 17, 2021, this situation would not have continued and would have been resolved a long time ago. But, this was not the case and the inertia of Mr. Vincent GUILGAULT contravened the prerogatives that are his as a civil servant.

The facts that are here attributed to Mr. Vincent GUILGAULT are relatively serious, because he handled Mr. MARGUERITE's complaints relating to the rejections of the solidarity fund applications that he sent to him, for these two companies, with levity and lack of professional conscience and he is largely responsible for the catastrophic situation in which he found himself and still finds himself, today, having to live on minimum social benefits and no longer able to provide for his needs or those of his children (see productions no. 3, 4, 14, 15 and 18) when he could claim this subsidy.
Everything we have just seen shows us, without a shadow of a doubt, that Mr. GUILGAULT acted in a discriminatory manner towards Mr. MARGUERITE and contravened his prerogatives as a civil servant, representing the French State and which are notified in the following texts:

- *[(French) Articles L121-1, L121-2, L. 121-6, L121-9, L. 121-7, L121-8 du Code général de la fonction publique],*
- *[(French) Article 27 de la Loi n°83-634 du 13 juillet 1983],*
- *[(French) Loi n° 78-753 du 17 juillet 1978 portant diverses mesures d'amélioration des relations entre l'administration et le public],*
- *[(French) Loi n°79-587 du 11 juillet 1979 relative à la motivation des actes administratifs et à l'amélioration des relations entre l'administration et le public],*

- *[(French) Loi n° 78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés],*
- *[(French) LOI n° 2016-483 du 20 avril 2016 relative à la déontologie et aux droits et obligations des fonctionnaires (1)],*
- *[(French) Ordonnance n° 2021-1574 du 24 novembre 2021 portant partie législative du code général de la fonction publique].*

From the above, it emerges that Mr. Vincent GUILGAULT has given rise to negative preconceptions in Mr. MARGUERITE with regard to public service, and therefore the State. Thus, Mr. Vincent GUILGAULT as head of the FIP accounting department other categories, having discredited the civil service, he must be sanctioned, according to the rules provided for this purpose and intended to frame the errors of civil servants, who contravene the duty which is theirs and which is entrusted to them, under the following texts:

- *[(French) Article L530-1 du Code général de la fonction publique],*
- *[(French) Article 66 de la loi no 84-16 du 11 janvier 1984],*
- *[(French) Loi no 83-634 du 13-07-1983 portant droits et obligations des fonctionnaires],*
- *[(French) Loi no 84-16 du 11-01-1984 portant dispositions statutaires relatives à la fonction publique de l'État],*
- *[(French) Décret no 84-961 du 25-10-1984 relatif à la procédure disciplinaire concernant les fonctionnaires de l'État].*

Furthermore, due to the dominant position conferred on him by his position as head of the FIP accounting department for other categories and because Mr. Vincent GUILGAULT appears to have deliberately harmed Mr. MARGUERITE.

Furthermore, his behaviour was similar for both of Mr MARGUERITE's companies, he should not benefit from a mitigating situation, but on the contrary, aggravating circumstances should be held against him and this in accordance with the following texts from the *[Jurisprudence en matière de fonction publique tiré du site : https://curia.europa.eu] :*

- *"1. Fonctionnaires – Régime disciplinaire – Sanction – Circonstance atténuante – Absence de récidive de l'acte ou de comportement fautif – Exclusion [Arrêt du 17 juillet 2012, BG / Médiateur (F-54/11) (cf. Point 127)] et [Arrêt du 22 mai 2014, BG / Médiateur (T-406/12 P) (cf. Point 75)]",*
- *"3. Fonctionnaires – Régime disciplinaire – Sanction – Pouvoir d'appréciation de l'autorité investie du pouvoir de nomination – Prise en compte des circonstances aggravantes ou atténuantes (Arrêt du 19 novembre 2014, EH / Commission (F-42/14) (cf. Points 115, 118, 124, 125)]",*
- *"4. Fonctionnaires – Régime disciplinaire – Sanction – Respect du principe de proportionnalité – Gravité du manquement – Critères d'appréciation (Arrêt du 21 octobre 2015, AQ / Commission (F-57/14) (cf. Point 118)]",*
- *"8. Fonctionnaires – Régime disciplinaire – Sanction – Circonstances aggravantes – Comportement d'un fonctionnaire exposant l'intégrité, la réputation ou les intérêts de l'institution à un risque d'atteinte – Inclusion [Arrêt du 10 juin 2016, HI / Commission (F-133/15) (cf. Point 204)] et [Ordonnance du 19 juillet 2017, HI / Commission (T-464/16 P) (cf. Points 52-54)]".*

For all of the above facts with which he is accused and which had a considerable negative impact on Mr. MARGUERITE's life, Mr. Vincent GUIGAULT as head of the FIP accounting department must be sanctioned, in accordance with the following:

- *[(French) Article 15 de la Constitution du 4 octobre 1958],*
- *[(French) Articles L530-1 du Code général de la fonction publique].*

5 New evidence on the responsibility of the civil servant Mr. Rodolph SAUVONNET, as Regional Director of Public Finances of Martinique, in the alleged external illegality:

The responsibility of the civil servant Mr. Rodolph SAUVONNET, as Regional Director of Public Finances of Martinique had not been presented, in the context of the case of Mr. MARGUERITE n° 2200745 which was dealt with at first instance by the administrative court of Martinique, while his involvement is proven, with supporting evidence. We bring you here the elements demonstrating it.

Mr. MARGUERITE's misadventures began with the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, on August 23, 2022, the date on which this civil servant received from him a hierarchical appeal established on the basis of *[(French) Article L410-1 du Code des relations entre le public et l'administration],* which he sent to him by registered letter with acknowledgment of receipt, claiming the sums owed to him under the solidarity fund and which had not been paid to him for his company Marguerite Kenny (Édition GALAAD) (see Contested Acts No. 1 and 2). Mr. MARGUERITE also implemented the same approach for his company Édition Dieu t'aime (EDT) SAS.

To do this, he also sent a hierarchical appeal set up on the basis of *[(French) Article L410-1 of the Code of Relations between the Public and the Administration],* sent by registered letter with acknowledgment of receipt to the director of the DRFIP of Martinique, received on January 22, 2024 (see production no. 13), claiming the subsidies due under the solidarity fund and which had not been paid to him. In these two hierarchical appeals, he also stated his eligibility for the **"solidarity fund for companies particularly affected by the consequences of the covid-19 epidemic"**, from December 2021.

Indeed, from this period, the reference framework was modified, carried by new decrees. These new rules established that only companies that had an activity (at least 15% of turnover/reference month) or those that were forced to close are eligible for this subsidy.
With these new calculation rules, Mr. MARGUERITE was not able to claim this subsidy, even though he was entitled to it.
This fact is a violation of his rights and we provide you with the evidence in the section entitled **"New evidence on the alleged internal illegality of the decrees relating to the solidarity fund".**

In these two letters that Mr. MARGUERITE sent to the director of the DRFIP, he also presented the discriminatory treatment that the civil servant Mr. Vincent GUILGAULT had reserved for his complaints, for his two companies in the context of the payments of the solidarity fund that had not been paid to him and he requested that he be sanctioned for this.
The legal deadlines for responses to Mr. MARGUERITE's two letters (two months) established by *[(French) Article L411-7 du Code des relations entre le public et l'administration]* having expired and the director of the DRFIP not having responded to him, the sanction incurred by Mr. Vincent GUILGAULT became impossible because only a disciplinary council of his "peers" has this authority.
This is what was instituted by *[(French) Article L532-1 du Code général de la fonction publique]* which establishes the following: **"The disciplinary power belongs to the authority invested with the power of appointment or to the territorial authority which exercises it under the conditions provided for in sections 2 and 3."**

Furthermore, French legislation provides in *[(French) Article L532-2 du Code général de la fonction publique]*, that after three years, from the moment when the DRFIP was informed of the facts by Mr. MARGUERITE's letters, that Mr. Vincent GUILGAULT is legally "untouchable".

The seriousness of the facts that are here reproached to the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, comes from the content of these hierarchical appeals, because in these letters Mr. MARGUERITE, provided evidence of the professional misconduct committed by Mr. Vincent GUILGAULT, by having had in the management of the two files of his companies, a discriminatory treatment and totally inconsistent with his obligations, as well as the supporting documents of his eligibility for the solidarity funds. (see Contested Acts No. 1, 2 and production No. 13).
Due to the inertia of the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, months later Mr. MARGUERITE's situation is still the same because justice has not been done to him, and in doing so, he finds himself in greater precariousness day by day. (see productions no. 3, 4, 14, 15 and 18).
In addition, the director of the DRFIP of Martinique, by his lack of response following the two hierarchical appeals that Mr. MARGUERITE presented to him, which hinder the establishment of these disciplinary councils, meaning that the offending official, Mr. Vincent GUILGAULT will not be worried and therefore will not be able to answer for his actions, is also liable to a disciplinary sanction. By not responding to Mr. MARGUERITE's two hierarchical appeals within two months, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, has contravened the obligations incumbent upon him and which are specified in the following texts:

- *[(French) Articles L121-1, L121-2, L121-8, L121-9 du Code général de la fonction publique],*
- *[(French) Article 27 de la Loi n°83-634 du 13 juillet 1983],*
- *[(French) Article du Code général de la fonction publique].*

All of this contravenes the responsibilities of his office. In addition, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, has failed, on three occasions, to respond to the injunctions sent to him by the administrative court. Indeed, the administrative court of Martinique in the context of Mr. MARGUERITE's case No. 2200745 contacted the regional directorate of public finances of Martinique on **February 15, 2023.** Then, a reminder sent on **March 14, 2023** had no effect.
This was followed by a formal notice from the clerk sent on **May 10, 2023** to all of the aforementioned defendants. Then, nothing, no news, we will tell you, that it was nothingness. Until the judgment, therefore on April 25, 2024 and since February 15, 2023, there was no reaction from the defendants, resulting in Mr. MARGUERITE's case being put on hold for this long period, which contributed to increasing his difficulties.

This reality is even greater for those who hold an important position because responsibility goes hand in hand with rank and notoriety. This reality is presented in the case law on civil service in the *[Jurisprudence en matière de fonction publique tiré du site: https://curia.europa.eu]* which establishes the following: **"The public official, whatever his rank in the hierarchy, is responsible for the performance of the tasks assigned to him. He is not relieved of any of the responsibilities incumbent upon him by the personal responsibility of his subordinates."**

This reality is even greater for those who hold an important position because responsibility goes hand in hand with rank and reputation. This reality is presented in the case law on civil service in the *[Jurisprudence en matière de fonction publique tiré du site: https://curia.europa.eu]* which establishes the following: **"3. Officials – Disciplinary regime – Penalty – Discretion of the appointing authority – Consideration of aggravating or mitigating circumstances:** *[...] An official commits gross negligence when he makes an error which, although not reflecting a deliberate intention to enrich himself to the detriment of the Union budget,* **remains difficult to excuse, especially in the light of the functions and responsibilities of the person concerned, his high grade and his length of service in the service of the institution. […]"** *[Judgment of 19 November 2014, EH v Commission (F-42/14) (see paragraphs 115, 118, 124, 125)].*

Thus, the higher the rank of the official, the more significant the aggravating circumstances are with regard to his failings. The failings of the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET are therefore the most reprehensible due to his high position. Because of him, the situation of Mr. MARGUERITE has deteriorated more and more while the Regional Director of Public Finances of Martinique, favored and protected to his detriment, Mr. Vincent GUILGAULT.
By these acts he obstructed justice because, Mr. Rodolph SAUVONNET denied rendering justice after having been required to do so. In this area the *[Code Pénal. Partie législative (Articles 111-1 à 727-3) Section 2: Des entraves à l'exercice de la justice (Articles 434-7-1 à 434-23-1.) Article 434-7-1]* establishes the following:
"The act, *by a magistrate,* **any other person sitting in a judicial formation or any administrative authority, of denying to render justice after having been required to do so and of persisting in his denial after a warning or injunction from his superiors** *is punishable by a fine of 7,500 euros and a ban on exercising public functions for a period of five to twenty years."*

Here, we discover that a public service agent cannot "deny to render justice" after having received the order, those who contravene this reality obstruct the proper conduct of justice and commit an obstruction of the exercise of justice. Thus, by his inaction, when the situation required them to intervene, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, denied rendering justice to Mr. MARGUERITE, and by the same token, obstructed justice, especially by not responding three times to the injections of the Administrative Court of Martinique.
In doing so, when the Regional Director of Public Finances of Martinique, by his free will, decides not to transmit the documents requested by the administrative judge, he commits an arbitrary act, and as a result he uses his position to cover up the reprehensible acts of his collaborator, the civil servant Mr. Vincent GUILGAULT.
This fact constitutes an aggravating circumstance. This reality is presented in case law in matters of civil service in the *[Jurisprudence en matière de fonction publique tiré du site : https://curia.europa.eu]* which establishes the following:
"8. Civil servants – Disciplinary regime – Sanction – Aggravating circumstances – Behavior of a civil servant exposing the integrity, reputation or interests of the institution to a risk of harm – Inclusion:
The independence of civil servants vis-à-vis third parties, which Articles 11 and 11a of the Staff Regulations in particular seek to preserve, must not only be assessed from a subjective point of view, since it also requires avoiding, particularly in the management of public funds, any behavior likely to objectively affect the image of the institutions and undermine the confidence that they must inspire in the public.
Thus, under Article 10(b) of Annex IX to the Staff Regulations, the institution may take into account as an aggravating circumstance the risk to which the official's conduct exposed the integrity, *reputation or interests of the institution, without being required to demonstrate whether and how many persons outside the institution were aware of the conduct in question of the official concerned. […]"*

We remind you that Mr. MARGUERITE's case is directly linked to public funds, since it is the non-payment of the solidarity fund that is in question here.
Thus, that Mr. Vincent GUILGAULT, acts in a discriminatory manner to prevent Mr. MARGUERITE from benefiting from this subsidy to which he is legitimately entitled, we have provided ample evidence of this, and that the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, does not implement the appropriate procedure so that this civil servant is sanctioned, the latter has behaved in a way that has exposed the integrity, reputation and interests of public finances.

Repercussion of cause and effect, Mr. Rodolph SAUVONNET has put in place aggravating circumstances and must therefore be sanctioned more harshly.

Furthermore, having received evidence of what Mr. MARGUERITE was claiming and which incriminated Mr. Vincent GUILGAULT, the fact of not responding within the time limits to his hierarchical request and not having set up a disciplinary council for this civil servant, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, flouted Mr. MARGUERITE's right to have any harm he suffered presented before an impartial court. Which is a violation of the following texts:

- *[Charte des droits fondamentaux de l'Union européenne, Article 47 – Droit à un recours effectif et à accéder à un tribunal impartial],*
- *[Articles 6, 13, 17 de la Convention Européenne des Droits de l'Homme].*

By these unspeakable acts against Mr. MARGUERITE, Mr. Rodolph SAUVONNET, also contravened the following legislative texts:

- *[(French) Articles 4, 7 et 12 de la Déclaration des droits de l'homme et du citoyen du 26 août 1789].*

In doing so, he harmed Mr. MARGUERITE by not allowing him to seek justice for the acts perpetrated against him by Mr. Vincent GUILGAULT, thus this official has still not been able to answer for his actions towards him.
With these bases, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, was required to ensure that his behavior could not harm the reputation of his administration and he had to act with complete impartiality in the processing of Mr. MARGUERITE's hierarchical appeals of August 23, 2022 for the company Marguerite Kenny (Édition GALAAD) and the one he received on January 22, 2024 for the company Édition Dieu t'aime (EDT) SAS, without seeking, by any means whatsoever, to advantage the incriminated agent, Mr. Vincent GUILGAULT, to the detriment of Mr. MARGUERITE.
The same applies to the letters that the DRFIP of Martinique received from the administrative court of Martinique in the context of the case of Mr. MARGUERITE n° 2200745 on February 15, 2023, March 14, 2023 and May 10, 2023, it was the responsibility of Mr. Rodolph SAUVONNET, as Regional Director of Public Finances of Martinique, to respond to them, here again, it is his inertia that is at fault.
In these situations that have just been presented, by virtue of his position as Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, had to ensure that he immediately put an end to and prevent the conflict of interest situation in which he found himself, in the context of Mr. MARGUERITE's hierarchical appeals of August 23, 2022 for the company Marguerite Kenny (Édition GALAAD) and the one he received on January 22, 2024, for the company Édition Dieu t'aime SAS, as well as for the requests addressed to him by the Administrative Court of Martinique in the context of Mr. MARGUERITE's case No. 2200745 on February 15, 2023, March 14, 2023 and May 10, 2023.
By not responding to Mr. MARGUERITE's letter within the required two months, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, created a situation of interference between the public interest and a private interest, namely the grievances of Mr. MARGUERITE. By this he voluntarily influenced the independent and impartial exercise which is the objective of his functions as a civil servant.
By his attitude and his lack of response, this civil servant forced Mr. MARGUERITE to take legal action to be defended. The result is that his behavior has undermined the users' consideration for the public service. Everything we have just seen shows us, without a shadow of a doubt, that Mr. Rodolph SAUVONNET acted in a discriminatory manner towards Mr. MARGUERITE and contravened his prerogatives as a civil servant, representing the French State and which are notified in the following texts:

- *[(French) Articles L121-1, L121-2, L. 121-6, L121-9, L. 121-7, L121-8 du Code général de la fonction publique],*
- *[(French) Article 27 de la Loi n°83-634 du 13 juillet 1983],*
- *[(French) Loi n° 78-753 du 17 juillet 1978 portant diverses mesures d'amélioration des relations entre l'administration et le public],*

- *[(French) Loi n°79-587 du 11 juillet 1979 relative à la motivation des actes administratifs et à l'amélioration des relations entre l'administration et le public],*
- *[(French) Loi n° 78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés],*
- *[(French) LOI n° 2016-483 du 20 avril 2016 relative à la déontologie et aux droits et obligations des fonctionnaires (1)],*
- *[(French) Ordonnance n° 2021-1574 du 24 novembre 2021 portant partie législative du code général de la fonction publique].*

It therefore appears that Mr Rodolph SAUVONNET has given rise to negative preconceptions in Mr MARGUERITE with regard to public service, and therefore the State. Thus, Mr. Rodolph SAUVONNET as Regional Director of Public Finances of Martinique, having discredited the civil service, he must be sanctioned, according to the rules provided for this purpose and intended to frame the errors of civil servants, who contravene the charge which is theirs and which is entrusted to them, by virtue of the following texts:

- *[(French) Article L530-1 du Code général de la fonction publique],*
- *[(French) Article 66 de la loi no 84-16 du 11 janvier 1984],*
- *[(French) Loi no 83-634 du 13-07-1983 portant droits et obligations des fonctionnaires],*
- *[(French) Loi no 84-16 du 11-01-1984 portant dispositions statutaires relatives à la fonction publique de l'État],*
- *[(French) Décret no 84-961 du 25-10-1984 relatif à la procédure disciplinaire concernant les fonctionnaires de l'État].*

Furthermore, due to the dominant position conferred on him by his position as Regional Director of Public Finances of Martinique and because Mr Rodolph SAUVONNET appears to have deliberately harmed Mr MARGUERITE and on two occasions, for his two companies, he should not benefit from a mitigating situation, but on the contrary, aggravating circumstances should be held against him and this in accordance with the following texts from the *[Civil service case law taken from the site: https://curia.europa.eu]:*

- *"1. Fonctionnaires – Régime disciplinaire – Sanction – Circonstance atténuante – Absence de récidive de l'acte ou de comportement fautif – Exclusion [Arrêt du 17 juillet 2012, BG / Médiateur (F-54/11) (cf. Point 127)] et [Arrêt du 22 mai 2014, BG / Médiateur (T-406/12 P) (cf. Point 75)]",*
- *"3. Fonctionnaires – Régime disciplinaire – Sanction – Pouvoir d'appréciation de l'autorité investie du pouvoir de nomination – Prise en compte des circonstances aggravantes ou atténuantes (Arrêt du 19 novembre 2014, EH / Commission (F-42/14) (cf. Points 115, 118, 124, 125)]",*
- *"4. Fonctionnaires – Régime disciplinaire – Sanction – Respect du principe de proportionnalité – Gravité du manquement – Critères d'appréciation (Arrêt du 21 octobre 2015, AQ / Commission (F-57/14) (cf. Point 118)]",*
- *"8. Fonctionnaires – Régime disciplinaire – Sanction – Circonstances aggravantes – Comportement d'un fonctionnaire exposant l'intégrité, la réputation ou les intérêts de l'institution à un risque d'atteinte – Inclusion [Arrêt du 10 juin 2016, HI / Commission (F-133/15) (cf. Point 204)] et [Ordonnance du 19 juillet 2017, HI / Commission (T-464/16 P) (cf. Points 52-54)]".*

For all the facts above-mentioned actions which are alleged against him and which have had a considerable negative impact on the life of Mr. MARGUERITE, Mr. Rodolph SAUVONNET, as head of the FIP accounting department, must be sanctioned, in accordance with the following:

- *[(French) Article 15 de la Constitution du 4 octobre 1958],*
- *[(French) Articles L530-1 du Code général de la fonction publique].*

6 New evidence on the responsibility of the civil servant Mr. Jérôme FOURNEL, as Director General of Public Finances, in the alleged external illegality:

Now concerning the Director General of Public Finances, Mr. Jérôme FOURNEL, he is at the origin of the perpetuation of the extremely precarious situation in which Mr. MARGUERITE finds himself as well as of this case which had to be brought to court.

The responsibility of the civil servant Mr. Jérôme FOURNEL, as Director General of Public Finances had not been presented, in the context of the case of Mr. MARGUERITE No. 2200745 which was dealt with at first instance by the Administrative Court of Martinique, while his involvement is, while his involvement is proven, with supporting evidence. We provide you here with the elements demonstrating this.

To understand this, we must look at the first steps that Mr. MARGUERITE took to put an end to this discriminatory treatment orchestrated by Mr. Vincent GUILGAULT who, despite the various supporting documents produced on numerous occasions attesting to the eligibility of his two companies for solidarity funds, persisted in systematically rejecting his requests, without any apparent reason.

It was on this basis that Mr. MARGUERITE decided to send an email to the President of the Republic on **June 7, 2022,** to present to him the violations of his rights by this oft-mentioned official, in connection with the vaccinal laws against covid 19. (see production no. 12).
In return for the email that Mr. MARGUERITE sent him, here is the response he received from the Chief of Staff of the President of the Republic, Mr. Brice BLONDEL on **July 8, 2022:** *"Sir, the President of the Republic has received the e-mail you sent him.*
Attentive to your approach, the Head of State has entrusted me with the task of thanking you and assuring you of all the attention reserved for the concerns you have expressed to him regarding your personal situation and the difficulties your publishing house is experiencing as a result of the health crisis for which you had requested the allocation of the Business Solidarity Fund.
This is why I did not fail to relay your letter to Mrs Olivia GRÉGOIRE, Minister Delegate to the Minister for the Economy, Finance and Industrial and Digital Sovereignty, in charge of small and medium-sized enterprises, trade, crafts and tourism and of prefect of the Martinique region, prefect of Martinique, asking them to carry out a diligent examination of the aid that could be provided to you.
You will be kept directly informed, by their care, of the follow-up likely to be reserved for your intervention.
Please accept, Sir, the expression of my best wishes. Brice BLONDEL". (see production no. 12). (Translated into English from the original text)

Then, Mr. MARGUERITE received the following letter from the chief of staff of Ms. Olivia Grégoire, Minister Delegate for Small and Medium Enterprises, Trade, Crafts and Tourism:
"Paris, 26 SEP 2022. Sir, you were kind enough to draw the attention of the Mister President of the Republic, who forwarded your letter to Ms. Olivia Grégoire, Minister Delegate for Small and Medium Enterprises, Trade, Crafts and Tourism, to the difficulties encountered by your publishing house in obtaining aid under the business solidarity fund.
The Minister has taken note of your correspondence and has asked Mr. Jérôme FOURNEL, Director General of Public Finances, to provide an update on this matter. You will be kept directly informed of the follow-up that may be reserved for it.
Please accept, Sir, the assurance of my distinguished consideration. Chris CHENEBAULT." (see production no. 12). (Translated into English from the original text).

To continue, we will tell you that by taking the time to analyze the content of these two ministerial letters, which Mr. MARGUERITE received, we easily understand what the President has acted on and what had to be put in place concerning him.
He states that he has taken due note of the electronic correspondence that Mr. MARGUERITE sent to him, assuring him of the full attention he was paying to his approach and that he was reserving for the concerns he had shared with him regarding his personal situation and the difficulties his publishing house was encountering following the health crisis for which he had requested the allocation of the Business Solidarity Fund.

To take into account the reality of the difficulties that Mr. MARGUERITE presented in his email to the President of June 7, 2022 and that he repeats in his letter, we invite you to reread an extract:
"I am the business owner who was spolied by a tax officer from Lamentin (Martinique) by refusing me the subsidy allocated to businesses impacted by the health crisis due to COVID, when I was entitled to it.
This arbitrary decision completely impacted my life, reducing me to receiving social benefits lower than those of a homeless person.
In doing so, I lived or rather survived thanks to the assistance of my loved ones and with the supplementary RSA of €201.16 / month, revalued to €286.54 / month [...]." (see production no. 12). (Translated into English from the original text).

To understand the content of these two letters that Mr. MARGUERITE received, we must not lose sight of the fact that the central problems that he presented to the President of the Republic on June 7, 2022, in his email and which were the source of his extremely precarious situation resulted from the approximate and erroneous processing of his file by a tax agent from Lamentin (Martinique), Mr. Vincent GUILGAULT.
The latter, by granting himself the right to establish his own management rules, by not diligently processing Mr. MARGUERITE's file, by not transmitting the documents provided which demonstrated his eligibility for the solidarity fund allocated to companies impacted by the health crisis due to COVID, was at the origin of his difficulties which grew every day, more.

> Thus when the President of the Republic declares in this letter that he transmitted to Mr. MARGUERITE the following **"Attentive to your approach, the Head of State has entrusted me with the task of thanking you and assuring you of all the attention reserved for the concerns you have expressed to him regarding your personal situation and the difficulties your publishing house is experiencing as a result of the health crisis for which you had requested the allocation of the Business Solidarity Fund",** he was responding here to his request for help against this civil servant who was despoiling him.

To do this, he asked the people in charge of this competence at the civil service level to study Mr. MARGUERITE's file in order to provide him with the solution that would suit his problem, therefore to review from another angle the disastrous treatment carried out by this civil servant, Mr. Vincent GUILGAULT. It was, through Mrs. Olivia Grégoire, Minister Delegate for Small and Medium Enterprises, Trade, Crafts and Tourism, that the President mandated the person with the most authority over this tax official Mr. Vincent GUILGAULT, namely Mr. Jérôme FOURNEL, Director General of Public Finances, so that all light could be shed on what Mr. MARGUERITE denounced, in the email he had sent him.

We therefore understand that when the President asks that Ms. Olivia GRÉGOIRE, Minister Delegate to the Minister of Economy, Finance and Industrial and Digital Sovereignty, be able to conduct a diligent review of the aid that could be provided to Mr. MARGUERITE, this also implied ensuring that all the obstacles were taken into account, including those who had created them, so that his rights were no longer violated and that they were restored.

Thus, if Mr. Jérôme FOURNEL, when he was the Director General of Public Finances, had complied with the hierarchical order that came to him directly from the President of the Republic, he would have had to set up a diligent investigation in order to know the ins and outs of Mr. MARGUERITE's affair and as a result he would have taken note of his letter sent on August 11, 2022 to the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET.
In doing so, he could have noted that both Mr. Vincent GUILGAULT and Mr. Rodolph SAUVONNET had contravened their prerogatives as civil servants, by having treated Mr. MARGUERITE's file lightly, by concealing or not transmitting essential elements, thus flouting his rights.

In doing so, this letter from the President to Ms. Olivia GRÉGOIRE, Minister Delegate to the Minister of the Economy, Finance and Industrial and Digital Sovereignty (see production no. 12), representing a hierarchical directive, had to be executed by any minister, senior civil servant or civil service agent.

Thus, when the President of the Republic, through Mrs. Olivia Grégoire, Minister Delegate for Small and Medium Enterprises, Trade, Crafts and Tourism, gives a directive to follow to Mr. Jérôme FOURNEL, as part of his role as Director General of Public Finances, the latter cannot under any circumstances fail to implement it, except in cases of force majeure beyond his control.

This reality is directly linked to the fact that as a civil servant, Mr. Jérôme FOURNEL is subject to the obligation to comply with and implement a hierarchical order that he receives.
To discover this reality, we invite you to read *[(French) Article L121-10 du Code général de la fonction publique]* which establishes the following:
"The public official must comply with the instructions of his hierarchical superior, *except in the case where the order given is manifestly illegal and likely to seriously compromise a public interest." (Translated into English from the original text).*

Furthermore, having failed to comply with the instructions of his superiors, which would have allowed, through a diligent analysis of Mr. MARGUERITE's file as requested, to identify the various pitfalls which had been reported very early on and to put an end to the perverse effects of this treatment "inflicted" by this official, Mr. Vincent GUILGAULT.

Thus, through his indolence, Mr. Jérôme FOURNEL, at the time when he was the Director General of Public Finances, denied rendering justice to Mr. MARGUERITE by, at the same time, obstructing justice.
Thus contravening the *[(French) Code Pénal. Partie législative (Articles 111-1 à 727-3) Section 2 : Des entraves à l'exercice de la justice (Articles 434-7-1 à 434-23-1) Article 434-7-1]* which establishes the following:
"The act, *by a magistrate,* **any other person sitting in a judicial formation or any administrative authority, of denying to render justice after having been required to do so and of persisting in his denial after a warning or injunction from his superiors** *is punishable by a fine of 7,500 euros and a ban on exercising public functions for a period of five to twenty years." (Translated into English from the original text)*

To continue, let us now discover the discriminatory works of Jérôme FOURNEL, from the time when he was the general director of public finances towards Mr. MARGUERITE's company, Édition Dieu t'aIme (EDT) SAS, they are not direct, but nevertheless real because the acts that Mr. MARGUERITE describes as laxity of this civil servant, have considerably impacted him.
In order to explain to you what we have just introduced, it is appropriate to come to the email that Mr. MARGUERITE sent to the President of the Republic before that of June 7, 2022 which we have already mentioned.

For a better understanding of what we want to bring here, we invite you to read an extract from this email sent by Mr. MARGUERITE to the Head of State on **March 1, 2021:**
"Good morning, Mr. President of the Republic, my name is Kenny Ronald MARGUERITE, I live in Martinique. **[…] Mr. President, I humbly come to you today to ask for your help for my two companies, which are in difficulty.**
1) Company: ÉDITION DIEU T'AIME Siren: 808100192 Nic: 00018. Sector: Book publishers.
2) Company: KENNY MARGUERITE Siren: 422825885 Nic: 00060. Sector: Book publishers.
Now that I have introduced myself, here is my problem: I have been able to receive the covid aid for my companies since the beginning of the crisis, but my companies were not up to date with their tax procedures and their tax debts, so the aid was canceled. *I have regularized the various shortcomings that were mine, and I apologized to the tax service for the inconvenience I caused them.*
Unfortunately, my feeling is that one of the tax officials is blocking me and preventing me from having this assistance." *(see production no. 12). (Translated into English from the original text).*

Before developing the content of this email that we have just presented to you, we believe it is important that we take note of the feedback that Mr. MARGUERITE received following this email. Let's start with this letter, dated **March 5, 2021**, that Mr. MARGUERITE received from the Chief of Staff of the President of the Republic, Mr. Brice BLONDEL:
"Sir, The President of the Republic has received the mail that you wished to send him.
Sensitive to the concerns you express and attentive to your personal situation, the Head of State has entrusted me with the task of assuring you that it has been taken note of.
Mr. Emmanuel MACRON is fully aware of the difficulties faced by his fellow citizens as well as the economic, social and psychological consequences caused by this unprecedented health crisis we have to face.
At his request, I did not fail to relay your request to the Minister Delegate to the Minister of the Economy, Finance and the relaunch, responsible for small and medium-sized enterprises, as well as to the Prefect of the Martinique region, Prefect of Martinique, so that the means likely to help you could be sought. [...]" (Translated into English from the original text). (see production no. 12).

Following this, Mr. MARGUERITE received this letter dated **April 28, 2012** from the prefecture of Martinique: **"Sir, by letter of March 5, 2021, the President of the Republic communicated to me your correspondence in which you share the difficulties that your companies would encounter as a result of the health crisis.**
You are asking for help. *I will send your file to the Commissioner for Enterprise Life and Productive Development for an appropriate examination. You will be directly informed of the follow-up given to it.*
In addition, if you wish, you can contact the social services of the Martinique local authority (0596 55 37 57, for possible financial assistance. […]" (Translated into English from the original text). (see production no. 12).

The most important thing in what we have just seen is the feedback that Mr. MARGUERITE received from the prefect of Martinique, following the first email he sent to the President of the Republic.
Let us reread this extract, which highlights the points that we would like to highlight:

> **"Sir, by letter of March 5, 2021, the President of the Republic communicated to me your correspondence in which you share the difficulties that your companies would encounter as a result of the health crisis. You are asking for help."**

This extract clearly establishes that in his email, Mr. MARGUERITE sent a request to the Head of State in which he presented the difficulties encountered by his two companies.

Which demonstrates that the President of the Republic and his Chief of Staff, Mr. Brice BLONDEL, who gave Mr. MARGUERITE two feedbacks on his situation on March 5, 2021 and July 8, 2022 (see production no. 12), had clearly noted that his difficulties concerned these two companies.

In doing so, by asking, through the Minister Delegate, Ms. Olivia GRÉGOIRE, Mr. Jérôme FOURNEL, Director General of Public Finances, to take stock of Mr. MARGUERITE's file and to keep him directly informed of the follow-up that could be reserved for him, this included his two companies.

If Mr. Jérôme FOURNEL had complied with the directives issued by the President of the Republic, he would have taken stock and, by returning to Mr. MARGUERITE, he would have been able to complete his need for information, which would mean that he would inevitably understand that his request was legitimate and that the reasons given were well-founded.
Thus, Mr. Jérôme FOURNEL, when he was Director General of Public Finances, harmed Mr. MARGUERITE doubly by his lack of reaction because, as a result, his two companies sank into chaos and are slowly sliding towards the limbo of non-existence.

If he had reacted to the directives given to him, all this energy that Mr. MARGUERITE is deploying to set up this legal case would never have happened.
By not implementing the presidential directives he received and which were intended to respond to the hierarchical appeals addressed by Mr. MARGUERITE to the President of the Republic, Mr. Jérôme FOURNEL, at the time when he was Director General of Public Finances, contributed to keeping him in the dark about the actions that could be implemented in order to change his situation.

As a result, the direct consequence of his behavior was the worsening of Mr. MARGUERITE's situation and his distrust of State institutions.

The above-mentioned actions of Mr. Jérôme FOURNEL, when he was Director General of Public Finances, demonstrate to us, without a shadow of a doubt, that he acted in a discriminatory manner towards Mr. MARGUERITE and contravened his prerogatives as a civil servant, representing the French State and which are specified in the following texts:

- *[(French) Articles L121-1, L121-2, L. 121-6, L121-9, L. 121-7, L121-8 du Code général de la fonction publique],*
- *[(French) Article 27 de la Loi n°83-634 du 13 juillet 1983],*
- *[(French) Loi n° 78-753 du 17 juillet 1978 portant diverses mesures d'amélioration des relations entre l'administration et le public],*
- *[(French) Loi n°79-587 du 11 juillet 1979 relative à la motivation des actes administratifs et à l'amélioration des relations entre l'administration et le public],*
- *[(French) Loi n° 78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés],*
- *[(French) LOI n° 2016-483 du 20 avril 2016 relative à la déontologie et aux droits et obligations des fonctionnaires (1)],*
- *[(French) Ordonnance n° 2021-1574 du 24 novembre 2021 portant partie législative du code général de la fonction publique].*

From the above, it emerges that Mr. Jérôme FOURNEL has given rise to negative a priori in Mr. MARGUERITE with regard to the public service, and therefore the State.

Thus, Mr. Jérôme FOURNEL, as Director General of Public Finances, having discredited the civil service, must be sanctioned, according to the rules provided for this purpose and intended to regulate the errors of civil servants, who contravene the duty which is theirs and which is entrusted to them, by virtue of the following texts:

- *[(French) Article L530-1 du Code général de la fonction publique],*
- *[(French) Article 66 de la loi no 84-16 du 11 janvier 1984],*
- *[(French) Loi no 83-634 du 13-07-1983 portant droits et obligations des fonctionnaires],*
- *[(French) Loi no 84-16 du 11-01-1984 portant dispositions statutaires relatives à la fonction publique de l'État],*
- *[(French) Décret no 84-961 du 25-10-1984 relatif à la procédure disciplinaire concernant les fonctionnaires de l'État].*

By his actions towards Mr. MARGUERITE and towards his two companies, Mr. Jérôme FOURNEL, contravened the prerogatives that are his as a civil servant because, he flouted the texts that we have just seen and by his dominant position, at the time of the facts as Director General of Public Finances, he could not be unaware of what was incumbent on him.

Not sanctioning Mr. Jérôme FOURNEL, for his inertia, at the time when he was Director General of Public Finances, would create a precedent that would lead other senior State officials to do the same which would be the beginning of the decline of the Fifth Republic.
The honors and prestige of the rank of senior civil servants go hand in hand with their obligations, especially that of obeying a hierarchical order, particularly when it comes from the Head of State.

Mr Jérôme FOURNEL should not benefit from a mitigating situation, but aggravating circumstances should be held against him and this in accordance with the following texts from the *[Civil service case law taken from the site: https://curia.europa.eu]:*

- *"1. Fonctionnaires – Régime disciplinaire – Sanction – Circonstance atténuante – Absence de récidive de l'acte ou de comportement fautif – Exclusion [Arrêt du 17 juillet 2012, BG / Médiateur (F-54/11) (cf. Point 127)] et [Arrêt du 22 mai 2014, BG / Médiateur (T-406/12 P) (cf. Point 75)]",*
- *"3. Fonctionnaires – Régime disciplinaire – Sanction – Pouvoir d'appréciation de l'autorité investie du pouvoir de nomination – Prise en compte des circonstances aggravantes ou atténuantes (Arrêt du 19 novembre 2014, EH / Commission (F-42/14) (cf. Points 115, 118, 124, 125)]",*
- *"4. Fonctionnaires – Régime disciplinaire – Sanction – Respect du principe de proportionnalité – Gravité du manquement – Critères d'appréciation (Arrêt du 21 octobre 2015, AQ / Commission (F-57/14) (cf. Point 118)]",*
- *"8. Fonctionnaires – Régime disciplinaire – Sanction – Circonstances aggravantes – Comportement d'un fonctionnaire exposant l'intégrité, la réputation ou les intérêts de l'institution à un risque d'atteinte – Inclusion [Arrêt du 10 juin 2016, HI / Commission (F-133/15) (cf. Point 204)] et [Ordonnance du 19 juillet 2017, HI / Commission (T-464/16 P) (cf. Points 52-54)]".*

For all of the above facts with which he is accused and which had a considerable impact on the life of Mr. MARGUERITE, Mr. Jérôme FOURNEL, at the time when he was the Director General of Public Finances, must be sanctioned in accordance with the following:

- *[(French) Article 15 de la Constitution du 4 octobre 1958],*
- *[(French) Articles L530-1 du Code général de la fonction publique].*

7 Presentation of the loss of opportunity and loss of earnings that the covid 19 vaccination laws generated against Mr. MARGUERITE:

In the context of case no. 2200745 which was handled at first instance by the administrative court of Martinique, Mr. MARGUERITE presented the discrimination he suffered under the yoke of the vaccinal laws against covid 19, however he did not request damages, which is not the case in the context of this appeal. Since there cannot be damages paid without the damages suffered being demonstrated, we provide you here, as well as in the following section, with evidence of the losses that Mr. MARGUERITE suffered in a discriminatory manner because of the covid 19 vaccination laws.
To begin with, we will tell you that as already presented at the beginning of this brief, following the advice of an accountant, Mr. MARGUERITE put in place plans intended to allow his businesses to become prosperous. Thanks to this, his companies began to take off, unfortunately the vaccinal laws against covid 19 put in place by the government in order to contain the Corona virus pandemic forced him into technical unemployment.
Based on the foundations we have just established, we now present to you the collateral damage he suffered because of the vaccinal laws against covid 19, which hindered him as an unvaccinated person and prevented him from working:

- He invested **€7,008.40** in a hair analysis device that was supposed to allow him **to optimize his turnover, multiplying it by three.** However, since he was unable to work because of tthe vaccinal laws against covid 19, he had no income, so he was unable to optimize his investment, as estimated. (see production no. 6).
  Despite everything, in return, he continues until **December 10, 2026 to** pay the loan repayments, amounting to **€295.51,** which he took out with ADIE, among others, to pay for this purchase. (see production no. 5).
  This reimbursement is becoming increasingly difficult for him, given his current paltry resources that we have repeatedly highlighted.

- These losses also concern the order of hair products against hair loss that he made for an amount of **€2,898.00** and which constitute a net loss because due to the restrictions of the vaccinal laws against covid 19, he was unable to sell them, in doing so they expired, so he had to throw them away. (see production no. 6).

- Another effect of this crisis is also the investment of **€1,732.01 + 680 = €2,412.01** made for training and certification purposes, as a hairdresser who advises on hair problems. Because of the vaccinal laws against covid 19, he was unable to have a return on his investment (see production no. 6).

- Let's also talk about this other wasted investment corresponding to the translation costs of his books into English, the invoices for which total **£7,235.12 = €8,452.03 (see production no. 10),** intended to open Mr. MARGUERITE's businesses internationally, corrected files that could not give rise to the editions, due to lack of finances, resulting from the vaccinal laws against covid 19 and the non-payment of several months of solidarity funds.

- We must also add the **€3,841.60** already invested before the crisis for the publication of his book entitled **"Inquisitiô (volume II)..." (see production no. 9)** and which, today, is sleeping in a cupboard, completely unsaleable because moldy and yellowed.

- As collateral damage from the health crisis and the constraints of closing bookstores, we must mention the net losses recorded due to the bankruptcy that followed for the company Socolivre, which, upon being liquidated, did not pay Mr. MARGUERITE the debt of **€4,100 (see production no. 9).**

- In order to be autonomous during the seminars he holds with small structures that do not have the appropriate equipment, he invested in the acquisition of a video projector and a screen for projecting images, a portable sound system and two microphones, as well as their installation equipment. This represents an average investment of **369 + 273.94 + 459.80 + = €1,102.74** that he was unable to optimize because of the vaccinal laws against covid 19 (see production no. 6).

Mr. MARGUERITE therefore committed an average financing of **€29,814.78,** without being able to fully benefit from a return on investment. The repercussion, in the long term, is that because of the vaccinal laws against covid 19, he finds himself in great precariousness, unable to resume his activities, even if the health crisis is over.
Quite simply, because he no longer has the means to invest in the price of flyers, leaflets, banners, tickets and other consumables (see production no. 24), intended to promote his seminars within the associations with which he would be required to work in partnership or to rent a room (see production no. 24) to hold his seminars outside those carried out in partnership.
Upstream investments would allow him to continue his activity and set up new seminars.
It is the seminars that allow him to have a new clientele for the sale of his books and the hair assessments that generate the sale of hair products, so, without finance none of this is possible.

Among the other damages that have been caused to Mr. MARGUERITE due to the application of these vaccinal laws against covid 19, there is also the banking and credit ban (see production no. 24) resulting from the prevention of exercising his professional activity. This state of affairs would certainly not have happened, considering the relatively decent income he had started to receive before the pandemic. The direct impact of this banking and credit ban at the end of the health crisis was the impossibility for Mr. MARGUERITE to apply for a loan from a bank or a credit institution. This state of affairs paralyzes him because he is unable to bounce back to reinvest in his companies.
Thus, because of the restrictions that the vaccinal laws against covid 19, which are nevertheless unconstitutional, have brought about by removing from Mr. MARGUERITE for a certain time, any possibility of exercising his professional activity, the terrible observation is there, this loss of income generated which continues making him, we repeat, go from a monthly income of **€4,646.50 for January and February 2020 to €331.57, euros for April 2024,** to which are added housing benefits for an amount of €265 (see productions n° 3, 4, 14 and 18).
Knowing that his rent alone is €400, he therefore does not even have the minimum vital to live, without the help of his fiancée, he does not know how he could have done or else, he would join the ranks of the homeless, a completely surreal situation for him. In a word, these covid 19 vaccination laws have led to his bankruptcy.

The result of this discriminatory treatment is his “fall (lowering)”, going from the status of a business manager earning an average of **€3,500, or even €4,646.50,** in the months preceding the health crisis, to the stage of someone "without a fixed income", surviving thanks to the help of the CCAS of his municipality, his social worker and his relatives and, at the time of writing this file, he has an income that is far from the minimum subsistence level, **to say the least.**

This disastrous situation is one of the direct repercussions of this ban put in place by the vaccinal laws against covid 19 and which prevented Mr. MARGUERITE as an unvaccinated person from working by leading seminars.
His companies have been particularly impacted and he now finds himself unable to reschedule seminars, the backbone of his business. Indeed, he does not have the means to support the costs inherent in their organization, nor to buy hair products for resale. In doing so, he most certainly risks the bankruptcy of his companies, and this in spite of himself, because the social and tax charges continue to run.

8 New evidence on the alleged internal illegality of the decrees relating to the solidarity fund:

In this section we will present new evidence that demonstrates Mr. MARGUERITE's eligibility for the solidarity fund, for his two companies and the discrimination and their non-payment, or their partial payment made in an arbitrary and discriminatory manner.

In the context of case no. 2200745 which was handled at first instance by the Administrative Court of Martinique, Mr. MARGUERITE presented figures, which neither he nor the Administrative Court of Martinique had been able to support or quantify with supporting evidence.
What we have just seen is supported by the request that the Administrative Court of Martinique notified to Mr. MARGUERITE, on March 14, 2024 through its clerk, and from which we invite you to read an extract again:
"[…] Sir, you benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros, taking into account the cancellation of the enforceable title issued by the DRFIP on October 21, 2021". The court would like to know:
1/ for which months you are requesting in your application the benefit of this solidarity fund; 2/ whether you submitted requests for financial aid to the DRFIP at the time, for each of the months concerned;
3/ whether you are able to include in the case file the refusal decisions that the DRFIP may have made to you at the time of these requests. *Please accept, Sir, the assurance of my distinguished consideration. The Chief Clerk, or by delegation the Clerk, ». (see production no. 25). (translated into English from the original text).*

This text shows us that as of March 14, 2024, less than two months before the judgment of Mr. MARGUERITE's case No. 2200745, which took place on April 25, 2024, the reality of the sums owed to him under the solidarity fund was still not yet known to the administrative judges of Martinique in charge of his case.
Furthermore, in the section **"Presentation of the reality of Mr. MARGUERITE's rights discriminated against by the administrative court of Martinique in the context of his case",** we saw that the administrative judges of Martinique in charge of Mr. MARGUERITE's case discriminated against him by stating that he had **"benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros".**
This statement, is false and unfounded. Indeed, although he received the solidarity fund for the months of March to December 2020, no subsidy was paid to him for the months of January and February 2021.

To defend himself and demonstrate, among other things, the error and defamation of which he was the victim, on **March 18, 2024,** Mr. MARGUERITE sent a request to the administrative judges of Martinique in charge of his case (see production no. 26).
Unfortunately, this request by Mr. MARGUERITE intended to defend him and provide new elements, among other things the amount of what is owed to him under the solidarity fund, was rejected on **April 4, 2024 (see production no. 27).**

Thus, as it is Mr. MARGUERITE's strictest right to defend himself by providing irrefutable evidence demonstrating, among other things, the reality of the sums owed to him under the solidarity fund for his two companies, we present to the administrative court of appeal of BORDEAUX this part intended to shed light on this case.
To get to the heart of the matter, we will present the bases that demonstrate the discriminations that the laws established for the management of the solidarity fund have created towards Mr. MARGUERITE.

To begin, it is important to know that both of Mr. MARGUERITE's companies are eligible for the solidarity fund.
To find out, let's first take note of the *[Décret n° 2020-371 du 30 mars 2020 relatif au fonds de solidarité à destination des entreprises particulièrement touchées par les conséquences économiques, financières et sociales de la propagation de l'épidémie de covid-19 et des mesures prises pour limiter cette propagation (translated into English from the original text)]* which establishes the following:
"The financial aid provided for in Article 3 takes the form of subsidies awarded by decision of the Minister of Action and Public Accounts to the companies mentioned in Article 1 of this decree which meet the following conditions: [...].
- or, for companies created after March 1, 2019, compared to the average monthly turnover over the period between the date of creation of the company and February 29, 2020; […]
8° The amount of their turnover recorded during the last closed financial year is less than one million euros.
For companies that have not yet closed a financial year, the average monthly turnover over the period between the date of creation of the company and February 29, 2020 must be less than 83,333 euros."

This decree is the reference text for the implementation of the solidarity fund.
Thanks to what has been presented previously, we understand that the company M. MARGUERITE registered in his own name, Kenny Ronald MARGUERITE (ÉDITION GALAAD) is therefore eligible for this subsidy, because from the start of its activity, therefore July 24, 2019 until December 31, 2019 it generated a total turnover of **17,770 euros,** therefore an average monthly turnover of **€3,554 (see production no. 4).**

This company having had a turnover for the year 2019, representing a monthly average of **€3,554,** therefore well below **€83,333 monthly** and below one **million euros** for the year, it therefore meets the eligibility criteria and this subsidy is therefore due to Mr. MARGUERITE for his company.

Let us now come to Mr. MARGUERITE's company, Éditions Dieu t'aime SAS, and its eligibility for the solidarity fund, because the basis for calculating this subsidy is the turnover of the companies and not the profit they generated for that year.

Thus, although for the **year 2019** this company had a net operating loss of **€4,147,** nevertheless its annual turnover was **€56,684, or a monthly** average of **€4,723.66 (see production no. 3).**
This company having had a turnover for the year **2019,** representing a monthly average of **€4,723.66,** therefore well below **€83,333 monthly and below one million euros** for the year, it therefore meets the eligibility criteria for this subsidy for the year 2020, so the solidarity fund is therefore due to Mr. MARGUERITE for this company for this period.

The payments that Mr. MARGUERITE received under the solidarity fund for these two companies demonstrate that they are eligible for this subsidy (see productions no. 22, 23, 28 and 29).
Nevertheless, although Mr. MARGUERITE's companies are eligible for this solidarity fund, it is the lack of competence or the carelessness of this Martinique tax official in processing his files that deprived him of this resource to which he should have been entitled.
We support our remarks in the section entitled **"New evidence on the responsibility of the civil servant Mr. Vincent GUILGAULT, as head of the FIP accounting department other categories, in the alleged external illegality".**

To continue, it is important to note that two distinct periods marked the health crisis in our opinion with regard to the payment of the solidarity fund:

- The first option is the standard established for the payment of the solidarity fund, during the months when companies were in lockdown or under a total or almost total shutdown of their activities according to what was instituted by the vaccinal laws against covid 19. During this period, the amounts of the solidarity fund that companies received were optimal.
- The second option covered the other months, during the health crisis, when there was the possibility for certain companies to partially or completely resume their activity subject to constraints, such as the obligation to vaccinate against covid 19 for those who worked in these structures.
  In doing so, the amount of the solidarity fund was revised downwards for these companies.

The scene set, let us now come to the reality of what Mr. MARGUERITE experienced, to do this, it is important not to lose sight of the fact that the primary reason for his businesses was mainly the publishing of his books and the holding of seminars around their various themes.
In doing so, during the entire sanitary crisis linked to covid 19 and this from **March 16, 2020 to April 9, 2022,** the date of suspension of the "sanitary pass" in the Antilles, Mr. MARGUERITE was subject to the vaccinal laws against covid 19 and forced by them, as someone not vaccinated against covid 19 to technical unemployment, this for his two companies.

> As part of his activities, he was therefore forced to close completely during the entire health crisis.

Here is one of the discriminations against Mr. MARGUERITE put in place by the French government because, due to the characteristics of his companies, already explained many times, he was forced into total technical unemployment, by the vaccinal laws against covid 19, throughout the duration of the pandemic and on the other hand, he has, for certain months during this period, received minimized payments under the solidarity fund.

For his company Édition Dieu t'aime (EDT) SAS these payments from the solidarity fund, received at a minimum, were **€770 or €1,500. (see production nos. 22 and 23).**
For his company Kenny Ronald MARGUERITE (ÉDITION GALAAD) these payments from the solidarity fund, received at a minimum, were **€296, €710, €977 or €1,500. (see production nos. 28 and 29).**
It should be noted that for some months, these payments from the solidarity fund were non-existent. For the company Édition Dieu t'aime (EDT) SAS, this was the case from November 2020 to February 2022. (see production nos. 22 and 23).
For the company Kenny Ronald MARGUERITE (ÉDITION GALAAD) this reality is clear, for the months of January, February and October 2021 as well as for the months of January and February 2022. (see production nos. 28 and 29).

How can this variable geometry regulation be explained? How can criteria that are a priori well-defined and well-framed evolve as certain files are processed?
To fully appreciate this profound inequality of treatment, let us take as an example the month of July 2021, for which the solidarity fund was not paid at all to Mr. MARGUERITE for his company Édition Dieu t'aime (EDT) SAS and concerning his company Kenny Ronald MARGUERITE (ÉDITION GALAAD), the amount allocated was **€296 (see production nos. 28 and 29).** Thus, for the month of July 2021, below, what Mr. MARGUERITE received in total as income:

> **296 euros (under the solidarity fund) + 201.16 € (activity bonus -** *The activity bonus is an income supplement paid to encourage professional activity, subject to resource conditions, to active people aged 18 and over, whether they are employees, self-employed workers or civil servants*) or a total of **496.16 € of income. (see productions n° 3, 4, 14, 22, 23, 28 and 29).**

We remind you that this constituted Mr. MARGUERITE's only resources since he had no professional income for this year 2021 (see productions n° 3 and 4), because he was forced not to exercise his activity, due to his status as unvaccinated against covid 19, in view of the restrictions put in place by the vaccinal laws against covid 19.

It is important to emphasize that the French State must ensure that all French people have a minimum living wage, **the active solidarity income (RSA), which in 2021 was €565.34** for a single person, which was the case for Mr. MARGUERITE.
This figure is taken from *[Le revenu de solidarité active (RSA) – Drees. PDF. Extract taken from the website: https://drees.solidarites-sante.gouv.fr. 2021-09].*

Thus, we understand that Mr. MARGUERITE experienced discrimination, as because of the vaccinal laws against covid 19, his basic income fell dramatically from an average of **€3,554 per month for the year 2019 and €4,646.50 per month for January and February 2020,** just before the start of the first lockdown due to the sanitary crisis and to end up reaching this modest resource of **€496.16 for the month of July 2021,** which is below the legal minimum that the French State must provide for his survival, as we have seen.

Still in the same vein as what we have just seen, it should be noted that a difference relating to the method of calculating the solidarity fund had appeared for the months of January and February 2022 established by *[Décret n° 2022-348 du 12 mars 2022 relatif à l'adaptation au titre des mois de janvier et février 2022 du fonds de solidarité à destination des entreprises particulièrement touchées par les conséquences de l'épidémie de covid-19 et des mesures prises pour limiter cette propagation],* which further accentuated Mr. MARGUERITE's state of extreme precariousness.

Thus, to ratify the request on the tax interface, it was necessary to have recorded for these two months mentioned above, a minimum monthly turnover which represented 15% of the monthly turnover of 2019. In doing so, for the months of January 2022 and February 2022, Mr. MARGUERITE's two companies did not receive any payment from this solidarity fund (see productions n° 22, 23, 28 and 29).

Thus, the demonstration that we have made of the eligibility of Mr. MARGUERITE's two companies for the previous years is valid for these two months.
However, due to the new criteria for allocating the solidarity fund, he was unable to claim it for January and February 2022. Below, his income for these months:

> For the month of **January 2022,** he received **€201.16 relating to the payment of the activity bonus (see productions no. 3, 4, 14, 22, 23, 28 and 29). For the month of February,** his income was **€286.54 for the activity bonus** (see productions no. 3, 4, 14, 22, 23, 28 and 29).

Faced with this new blow and this new discrimination, what more can be said, except that the income received for January and February 2022 was even lower than that which Mr. MARGUERITE already deplored for the month of July 2021, even further from the RSA, i.e. almost half.

As we have just demonstrated in the specific case of Mr. MARGUERITE, the minimum payments received for the solidarity fund bring into conflict certain parts of the French Constitution, namely his right to the protection of his health and his right to material security presented in *[(French) Article 11 du Préambule de la Constitution de 1946 (translated into English from the original text)]* which establishes the following:
"It guarantees to all, *especially children, mothers and elderly workers,* **protection of health, material security,** *rest and leisure.*"

Concerning Mr. MARGUERITE, it is therefore a very great discrimination and an enormous disparity that the vaccinal laws against covid 19 have instituted, leaving him for several months in a devastating precariousness, with much less than the bare minimum to live!
It is important to specify that discrimination is prohibited, the supranational texts referred to below display it:

- *[(French) Article 2, loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations],*
- *[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1 et 2],*
- *[Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, articles 1 et 2 (Interdiction générale de la discrimination)],*
- *[Commission des affaires européennes du Sénat. Actualités Européennes. N°67, 21 juillet 2021. Obligation vaccinale et pass sanitaire : position de l'Union Européenne et du Conseil de l'Europe].*

From the above, it follows that the laws establishing the solidarity fund and establishing the terms of the sums to be received by business leaders contravene both the French constitution and European law.
It is also important to note that these new provisions which prevented Mr. MARGUERITE from receiving this subsidy or which led him to receive it at a minimum, also contravene the right conferred on him by *[(French) Article 11 Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)]* which establishes the following:
"No one shall be disturbed for their opinions, even religious ones, provided that their manifestation does not disturb the public order established by law."

If Mr. MARGUERITE was unable to work for months, it is because of his unvaccinated status against covid 19, particularly in connection with his religious beliefs.
We present this reality to you in the section **"Reality of the unconstitutional nature of the vaccinal laws against covid 19, which contravene the right of Mr. MARGUERITE, as a Frenchman, not to be vaccinated against Covid 19 because of his faith".**

Thus, Mr. MARGUERITE cannot be penalized in any way because of his faith because religious freedom is a right that has also been enshrined in the texts of European law seen previously. These texts are rich in lessons.
Indeed, it is certainly mentioned that in order to protect public health, limitati*ons can* **"crop"** *the rights of individuals, but they* **"must be necessary and proportionate".** Furthermore, let us stop at *[Article 9 de la Convention des droits de l'Homme relatif à la liberté de pensée, de conscience et de religion].*

This is one of the dimensions highlighted by the European Union to justify that the vaccinal obligation against covid 19 should not be extended to everyone.
The fundamental bases of religious freedom are laid down here and are clear.
In light of all of the above, we understand that *"Décret n° 2020-371 du 30 mars 2020 relatif au fonds de solidarité…*" as well as *"Décret n° 2021-79 du 28 janvier 2021 relatif au fonds de solidarité..."* and *"Décret n° 2022-348 du 12 mars 2022 relatif à l'adaptation au titre des mois de janvier et février 2022 du fonds de solidarité..."* which establish the minimum payment of the solidarity fund, for Mr. MARGUERITE's companies, are based on a manifest error of judgment based on the one hand on the fact that they created an impossibility of reconciling the right of the French to have protection for their health, with that of having assurance of their material security, in accordance with the *[(French) Article 11 du Préambule de la Constitution de 1946].*

And on the other hand, a disagreement between the part of *[(French) Article 11 du Préambule de la Constitution de 1946],* which ensures the French the right to benefit from protection for their health, and *[(French) Article 10 déclaration des Droits de l'Homme et du Citoyen de 1789]* which states the fact of not being disturbed for their opinions, among others, religious.

These incriminated decrees establishing the new criteria for the payment of the solidarity fund cannot usefully prosper because it creates a non-reconciliation between fundamental rights established in the French constitution.
Such means, in this case these disputed decrees, contravening the French constitution and European law, can only be rejected, in the processing of Mr. MARGUERITE's case within the framework of the *"solidarity fund for companies particularly affected by the consequences of the covid-19 epidemic".*

In light of what we have just seen, we understand that the disputed decrees, not taking into account the constitutional rights of Mr. MARGUERITE which are cited, are not adapted to manage all the ins and outs for which they were issued and in fact contravene the French constitution and European law.
Before continuing, it should be noted that the entire argument relating to what we are now going to present is based on the following texts:

- *[Guide sur l'article 7 de la Convention européenne des droits de l'homme. I. Introduction],*
- *[(French) Article 5 de la Déclaration des droits de l'homme et du citoyen de 1789],*
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 2-2 Un dialogue des Juges [4] a permis de concilier l'office du juge administratif Juge national et comme juge de droit commun du droit de l'Union Européenne. 2-2-1 le conseil Constitutionnel, le Conseil d'État et la CJUE ont jugé que le contrôle prioritaire de la constitutionnalité des lois était compatible avec le droit de l'Union. Tiré du site internet : https://www.conseil-etat.fr],*
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1) Le juge administratif assure pleinement l'intégration du droit de l'Union européenne dans l'ordre juridique national. 1-1 La reconnaissance des spécificités du droit de l'union par le juge administratif : Effet direct et primauté du droit de l'union Européenne. Tiré du site internet : https://www.conseil-etat.fr],*
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-2 L'autonomie institutionnelle et procédurale : un mécanisme de subsidiarité juridictionnelle inhérente aux techniques d'application du droit de l'union. Tiré du site internet : https://www.conseil-etat.fr],*
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-3 La reconnaissance des spécificités du droit de l'union Européenne emporte des conséquences importantes pour l'administration Française. Tiré du site internet : https://www.conseil-etat.fr].*

Thus, as a legislative text cannot contravene the French constitution and European law, the contested decrees have established discriminations which make parts of the French Constitution in opposition, they cannot therefore in any case be retained for the calculation of the solidarity fund to be paid to Mr. MARGUERITE.

Furthermore, we recall the primacy of European texts over those of the Member States.

In doing so, as the disputed decrees, as we have seen, contravene European law, thus, in a court of justice, in the presence of such texts, the magistrates must set them aside.
To understand the scope of what we have just presented, we must not lose sight of the fact that the vaccinal laws against covid 19, which were instituted in France, contravene the supranational bases established in the "Declaration of Helsinki", to which Europe is subject.

> To discover this reality, I invite you to read the part entitled **"On the alleged internal illegality of the vaccinal laws against covid 19".**

The above allows us to affirm that the vaccinal laws against covid 19 are null and void and cannot in any case find sustainability, neither in France nor before a European administrative court.

Thus, the moral and financial consequences that Mr. MARGUERITE suffered in the context of the payment of the *"solidarity fund for companies particularly affected by the consequences of the covid-19 epidemic"* based primarily on the restrictions put in place by covid 19 vaccinal laws that contravene European law and which prevented him from working, engage the responsibility of France, which is required to put an end to any inequality resulting from a misapplication or interpretation of the legislation established in this context.

In doing so, these arguments based on errors of law and which established that the payment of the solidarity fund for Mr. MARGUERITE's companies should be reduced for certain periods, during the sanitary crisis, can only be rejected.

> Thus, Mr. MARGUERITE having been forced into technical unemployment from the beginning to the end of the sanitary crisis, namely from **March 16, 2020 to April 9, 2022,** the date of suspension of the "sanitary pass" in the Antilles, and France having established, through the secure dedicated tax server, the amounts that had to be paid to each company in total prohibition of work because of the vaccinal laws against covid 19, we request that these bases be retained in order to calculate the amount remaining due to Mr. MARGUERITE under the solidarity fund for his two companies.

For the months of October and **November 2020,** the dedicated server of the tax service set the amount of the solidarity fund at **€3,395** per month which had to be paid to Mr. MARGUERITE for his company Kenny Ronald MARGUERITE (ÉDITION GALAAD) (see production no. 28).
It should be noted that the dedicated tax server set the amount of **€3,590** per month for the months of January to March 2021, i.e. over 3 months, for the company Kenny Ronald MARGUERITE (ÉDITION GALAAD).
This reality shows that this amount of **€3,590** per month is the new standard established for the months of April 2021 to February 2022. (see production no. 28).

For the company les Édition Dieu t'aime (EDT) SAS, under the solidarity fund for the month of October 2020, Mr. MARGUERITE received **€3,554.00 (see production no. 22).**
Apart from this, it should be noted that the dedicated tax server set the amount of **€3,778** per month for the months of December 2020 to April 2021, i.e. over 5 months, for the company les Édition Dieu t'aime (EDT) SAS.
This reality demonstrates that this amount of **€3,778** per month is the new standard established for the months of May 2021 to February 2022. (see production no. 22).

Thus, these are the amounts that must be taken into account for the calculation of the entire period during which the solidarity fund was in effect; taking a lower amount would be applying discriminatory treatment to Mr. MARGUERITE, given the argument developed in this section.

9 Presentation of the reality of Mr. MARGUERITE's rights discriminated against by the administrative court of Martinique in the context of his case

This part explains the reasons that led Mr. MARGUERITE to refer an appeal to the administrative court of appeal of BORDEAUX for abuse of power. To begin, let's rediscover the incriminated text. On March 14, 2024, the administrative court of Martinique notified him, through its clerk, of the following: **"[…] Sir, you benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros, taking into account the cancellation of the enforceable title issued by the DRFIP on October 21, 2021". The court would like to know:**
1/ for which months you are requesting in your application the benefit of this solidarity fund;
2/ whether you submitted requests for financial aid to the DRFIP at the time, for each of the months concerned;
3/ whether you are able to include in the case file the refusal decisions that the DRFIP may have made to you at the time of these requests. *Please accept, Sir, the assurance of my distinguished consideration. The Chief Clerk, or by delegation the Clerk, ». (see production no. 25). (translated into English from the original text).*

It is clearly stated that Mr. MARGUERITE **"benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros".** This false and unfounded statement is discriminatory against him. Indeed, although he received the solidarity fund for the months of March to December 2020, no subsidy was paid to him for the months of January and February 2021.
The notifications of rejection of the solidarity fund for the months of January and February 2021 that were sent to Mr. MARGUERITE by the General Directorate of Public Finances, on his secure tax mailbox provide proof of this reality.
The email *[Réponse de l'administration pour ma demande (KENNY MARGUERITE) N° 1099688204 du 12/03/2021 du fonds de solidarité à destination des entreprises cofinancées par l'État et les Régions. De : Direction Générale des Finances Publiques du 12/03/2021],* states the following: *"Hello, this message concerns the application that you submitted under the solidarity fund for businesses.* **After analysis, it seems that the monthly reference turnover for 2019 that you entered in your application is not entirely consistent with the data in the administration's possession as part of your tax returns. We are therefore unable to validate the calculation of your aid and, consequently, to put it into payment immediately.** *To speed up this payment, we suggest that you get back in touch with our services quickly:*
- either by submitting a new online application that will mention a 2019 reference turnover amount consistent with that appearing in your 2019 tax returns; [...]" (translated into English from the original text).

The same feedback that Mr. MARGUERITE had from the administration for the month of January 2021, he also received for that of February of the same year, by means of the email received in his secure mailbox from the Lamentin taxes and which is recorded under the following references: *[Réponse de l'administration pour ma demande (KENNY MARGUERITE) N°1099951295 du 16/03/2021 du fonds de solidarité à destination des entreprises cofinancées par l'État et les Régions. De : Direction Générale des Finances Publiques du 16/03/2021].*

These two exchanges with the DGFIP (The General Directorate of Public Finances "French") relating to his non-eligibility for the solidarity fund for the months of January and February 2021, demonstrate that he did not receive a payment under this subsidy for these two months, even though he made the request on multiple occasions and also sent several reminders (see production no. 30).

If necessary, these account statements showing, among other things, the period from January 2021 to May 2022, constitute additional supporting documents and attest that Mr. MARGUERITE did not receive payment of this subsidy for the two months mentioned above (see production no. 29).

As additional supporting documents, so that you have as much tangible proof as possible, we are attaching the solidarity fund application receipts for the months when this subsidy was paid to him in 2021; they bear a number that is mentioned on each bank statement (see productions no. 28 and 29).
Thus, based on the evidence provided in various forms, the subsidies for the months of January 2021 and February 2021 remain due to Mr. MARGUERITE.

> **Thus, when, through its clerk, the administrative court of Martinique notifies in its case no. 2200745 in the context of an adversarial debate that Mr. MARGUERITE received the solidarity fund for January and February 2021, this is an inaccurate fact that is detrimental to him.**

What has just been presented is a breach of ethics practiced by the administrative judges of Martinique in charge of Mr. MARGUERITE's case.
To understand this, it is important not to lose sight of the fact that when a case is presented before the administrative court, the contentious procedure is first called inquisitorial. In doing so, the administrative judge is called upon to play an active role in the search for the truth.

Which implies that, before taking into account the assertions of the DRFIP, based on the enforceable title **No. 103000 007 906 075 485125 2021 0001167, invoice number: ADCE-21-2600066301,** issued by this administration where erroneous information is reported, that of the payment of **19,468 euros** for the benefit of Mr. MARGUERITE for the solidarity fund, for the period from **March 2020 to February 2021 (see production no. 25),** the administrative judges of Martinique in charge of his case should have asked Mr. MARGUERITE to provide proof of the payments or non-payments of these sums.

This is what was done in part because, considering the information provided on the enforceable title No. 103000 007 906 075 485125 2021 0001167 (see production no. 11), the administrative court of Martinique in its letter of March 14, 2024, asks Mr. MARGUERITE to prove by documents the veracity of his good right in his request for payment of this subsidy but only from March 2021.

The administrative judges cannot harm Mr. MARGUERITE of a share of the solidarity funds to which he is entitled by basing themselves on a document in the file that they consider to be irrefutable proof when this is not the case.
By therefore asserting that Mr. MARGUERITE **"benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros" (see production no. 25)** by virtue of a document considered as irrefutable proof, without requesting that supporting documents for these various payments be provided, the administrative court of Martinique established, without proof, in an adversarial debate, defamatory discrimination against him, in his case no. 2200745.

The most dramatic thing in this story is that Mr. MARGUERITE has the source document, **dated June 11, 2021 No. 4370-023087-0050 eco'pli 67 STRASBOURG PIC 15.06.21 CI1500, (see production no. 11)**, which is the first document that the general management of public finances sent to him and in which he is asked to reimburse the sums that he had allegedly unduly received under the solidarity fund.
On this document, there is a table in three parts:

- the first contains the month column,

- the second, which is attached to it, that of the amounts of aid obtained (therefore the solidarity fund),
- the third, that of the (alleged) undue payments that he received.

This document attests, unequivocally, that the sums received, for which reimbursement was requested, extend from May 2020 to December 2020.
Thus, if the administrative judges in charge of Mr. MARGUERITE's case had had the right documents, through their search for evidence, they could not have made this gross error. Here, the fact that the magistrates of the Martinique administrative court were not in their inquisitorial roles is called into question. Worse, when the administrative court uses as its sole evidence an enforceable title canceling the sums that were wrongly claimed from Mr. MARGUERITE, it is a clear sign that the DRFIP may be mistaken.

> So how can we base ourselves on this document, without pushing the investigations further by looking for proof of the payments or not of this subsidy?

This case, which, in essence, concerns discrimination in the handling of Mr. MARGUERITE's case, is also doubled by defamation against him by the administrative court of Martinique, in adversarial debate.
In doing so, according to the terms of the letter from the administrative court of Martinique dated March 14, 2024, (see production no. 25), it is no longer possible for Mr. MARGUERITE to claim the sums that were not paid to him under the solidarity fund, for the months of January and February 2021 when they are owed to him.
When this jurisdiction, ex officio and without supporting evidence, removes from Mr. MARGUERITE the right to receive the payment for the solidarity fund for the months of January and February 2021, this contravenes the impartiality that the courts must have with regard to the right conferred on him by *[Articles 6 de la convention européenne des droits de l'Homme].*

It is therefore in order to defend himself and to demonstrate, among other things, the error and defamation of which he was the victim, that on **March 18, 2024,** he sent a request to the administrative judges of Martinique in charge of his case (see production no. 26).
This request by Mr. MARGUERITE intended to defend him was rejected for the following reasons and which were ratified in a letter that the administrative court of Martinique notified to him on April 4, 2024 through the reporting magistrate, Mr. Sébastien DE PALMAERT: **"COMMUNICATION OF PUBLIC ORDER MEANS:** *Sir, Under the terms of Article R. 611-7 of the Code of Administrative Justice: When the decision appears likely to be based on a means raised ex officio, the president of the trial formation (...) informs the parties before the trial session and sets the time limit within which they may, without being hindered by the possible closure of the investigation, present their observations on the means communicated.*
In application of these provisions, I have the honor to inform you that the court is likely, in the case cited in reference, to raise ex officio the following means:
- inadmissibility, for lack of interest in acting by the applicant, of the conclusions seeking the annulment of the decision not to initiate disciplinary proceedings against a DRFIP agent;
- inadmissibility due to the lateness of the new conclusions formulated in the applicant's brief filed on March 18, 2024, this brief having also been produced after the close of the investigation. You may submit your observations until the date of the hearing set for April 25, 2024. Please accept, Sir, the assurance of my distinguished consideration. The reporting magistrate, Sébastien DE PALMAERT." (see production no. 27). (translated into English from the original text).

Thus, it appears that the brief submitted by Mr. MARGUERITE on March 18, 2024 (see production no. 26) to the administrative court of Martinique was inadmissible, due to the lateness of the new conclusions he provided, moreover produced after the closing date set for the investigation of his case.

What is presented here seems clear, if we do not observe it through the magnifying glass of the legislative texts.
Mr. MARGUERITE's brief was not valid for the two reasons mentioned above, in doing so, the administrative judges put in place a “means of public order” which already decided that he would be dismissed, before the date of the hearing.

Upon receiving this new “hammer blow”, Mr. MARGUERITE sought the means which would allow his case to be reopened and that he could produce a new brief which would be compliant by respecting the procedure.
It is this letter below from March 14, 2024, cited many times and which established: **“[…] Sir, you benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros, taking into account the cancellation of the enforceable title issued by the DRFIP on October 21, 2021”.** (see production no. 25), which seemed to him to be the best angle of attack.

It is important to note that Mr. MARGUERITE was convinced, given the errors contained in the document on which the judges relied to issue their judgment, that his request to reopen his case, motivated by the provision of evidence to refute these false allegations, would be accepted.
This certainty was further reinforced by the provisions of *[Articles 6 de la convention européenne des droits de l'Homme],* which give him the right to defend himself and to appear before an independent and impartial tribunal, so that his case is heard in all fairness.

However, as already mentioned, this possibility offered to him by European law was not accepted and Mr. MARGUERITE's request was rejected. By abuse of power, the administrative judges persisted in retaining erroneous elements to judge his case, instead of the reliable supporting documents that he wished to produce so that the judgment would be taken in all fairness.
From then on, he had no other alternative than to raise the formal defect of this document that the court sent him on March 14, 2024 (see production no. 25), which seems to him to be perfectly relevant, in this case.

To continue, it is important to understand that the administrative court created in Mr. MARGUERITE's case no. 2200745 a legal paradox, bringing into conflict his right to have a fair trial held by an impartial court and, on the other hand, the closure of his case on November 9, 2023, which means that he can no longer file a defense brief, even if the inaccuracy of certain reported facts is proven.

We can better understand this reality in light of the case law of *[(French) Conseil d'État, 7 / 5 SSR, du 12 juillet 2002, 236125, publié au recueil Lebon]* which established the following: *“Considering that the note in deliberation that Mr and Mrs X... produced on 24 November 2000, after the public hearing but before the reading of the decision, was indeed examined by the Council of State even if the latter did not refer to it in its decision;*
That although this note discussed at length the question of the amount of the damage suffered by the applicants, *requested a new expert appraisal, the reassessment of compensation and the capitalisation of interest,* **it did not mention any factual or legal circumstance making it necessary to reopen the investigation;**
That, consequently, by not deciding, upon receipt of this note in deliberation, to reopen the investigation, the Council of State did not disregard any rule relating to the holding of hearings and the delivery of the decision;” (translated into English from the original text).

Let us complete with this other jurisprudence of the *[Conseil d'État, 6ème – 1ère SSR, 30/03/2015, 369431. N° 369431. ECLI:FR:XX:2015:369431.20150330. Mentionné dans les tables du recueil Lebon]* which established the following:

“2. Considering, on the one hand, that, before the administrative courts and in the interests of good justice, the judge always has the power to reopen the investigation, which he is leading, when he is seized of a production subsequent to the closure of the latter;
That it is up to him, in all cases, to take note of this production before making its decision and aiming for it; *That, if he decides to take it into account, he reopens the investigation and submits to the adversarial debate the elements contained in this production which he must, in addition, analyze;* **That, in the particular case where this production contains the statement of a factual circumstance or an element of law which the party invoking it was not in a position to state before the closure of the investigation and which is likely to exert an influence on the judgment of the case, the judge must then take it into account, on pain of irregularity of his decision […]” (translated into English from the original text).**

Thus, the statement by the Martinique administrative court claiming that Mr. MARGUERITE also received the solidarity fund for the months of January and February 2021, when this statement is erroneous, demonstrates that the judges in charge of his case ruled without evidence. They therefore set up a circumstance of facts which he was not able to report before the close of the investigation.
This circumstance of a new fact is important, especially since for the request of **March 18, 2024,** by Mr. MARGUERITE (see production no. 26), the administrative judges of Martinique, by their letter of April 4, 2024, established the following:
“COMMUNICATION OF PUBLIC ORDER MEANS: [...] - inadmissibility due to the lateness of the new conclusions formulated in the applicant's brief filed on March 18, 2024, *this brief having also been produced after the close of the investigation.” (see production no. 27). (translated into English from the original text).*

Thus, the fact that the administrative court of Martinique established that Mr. MARGUERITE's request of **March 18, 2024,** was a **“means of public order”,** as well as his brief sent on **April 11, 2024 (see production no. 31),** transmitted by this court to the defendants on the same day, and registered under the reference **“COMMUNICATION IN RESPONSE TO ONE OR MORE PUBLIC ORDER MEANS”,** which implies that his case could no longer be handled on the same basis as before.

To do otherwise would be discriminatory against Mr. MARGUERITE and would contravene European law, to which France is subject. To be clear on what a **“means of public order”** is, let's see how it is defined by Mr. Bernard Stirn, President of the Litigation Section of the Council of State (French), in his writing *[L’ordre public : regards croisés du Conseil d’État et de la Cour de cassation. Par Bernard Stirn, Président de la section du contentieux du Conseil d’État. Discours du 6 mars 2017.Table ronde 2 - L'émergence d'un ordre public européen. <a href="/admin/content/location/52038">. Tiré du site : https://www.conseil-etat.fr]* or it stipulates the following:
“[…] From a procedural point of view, **the public policy argument** is, *as President Odent explains,* **“a argument relating to a question of such importance that the judge would himself disregard the rule of law that he is responsible for enforcing if the court decision rendered did not take it into account”.**
Its scope is undoubtedly greater than in judicial proceedings. […]
In a broader sense, public policy covers the essential values of social consensus and the legal system. **[…] Public policy is present in EU law and the Court of Justice applies it. The European Court of Human Rights refers to it, in particular when it questions measures that affect the privacy of the person and those that aim to guarantee the rules of communal life.” (translated into English from the original text).**

First of all, in order to establish the seriousness of this text, it is appropriate not to lose sight of the fact that it is written by the person who, at the time of writing, was the President of the Litigation Section of the Council of State.

We are therefore in a most solemn and serious text. This text teaches us that as soon as it is established that there is a "means of public policy", it is **"a argument relating to a question of such importance that the judge would himself disregard the rule of law that he is responsible for enforcing if the court decision rendered did not take it into account".**

For a better understanding, we must add this extract from the text *[Conseil d'État, 6ème – 1ère SSR, 30/03/2015, 369431. N° 369431. ECLI:FR:XX:2015:369431.20150330. Mentionné dans les tables du recueil Lebon],* that we have seen previously and which notifies the following:
"[…] That, in the particular case where this production contains the statement of a factual circumstance or an element of law which the party invoking it was not in a position to state before the closure of the investigation and which is likely to exert an influence on the judgment of the case, the judge must then take it into account, on pain of irregularity of his decision […]" (translated into English from the original text).

So, when on the one hand the administrative judges of Martinique act on false foundations that **"[…] Sir, you benefited from the solidarity fund (decree no. 2020-371 of March 30, 2020) between March 2020 and February 2021 in the amount of 19,468 euros, taking into account the cancellation of the enforceable title issued by the DRFIP on October 21, 2021" (see production no. 25),** on the other hand, they were required to allow Mr. MARGUERITE to defend himself, because we repeat, his request of **March 18, 2024 (see production no. 26)** was intended for him to be able to defend himself within the framework of the **"public order means"** that these magistrates have acted on, in doing so they should have responded positively to his request because what they have instituted is:

> **"A argument relating to a question of such importance that the judge would himself disregard the rule of law that he is responsible for enforcing if the court decision rendered did not take it into account".**

Thus, by the decision of the administrative judges of Martinique to judge Mr. MARGUERITE's case without allowing him to defend himself against the false allegations that they themselves instituted in the context of the adversarial debate by means of a **"means of public order",** they established a discrimination against him which falls within the framework of the **"penalty of irregularity of their decision"** of the judgment made.

Thus, by their decision to judge Mr. MARGUERITE's case without allowing him to defend himself, the administrative judges of Martinique in charge of his case made themselves incapable of having him appear before an independent and impartial tribunal, so that his case is heard fairly, according to the bases of *[Articles 6 de la convention européenne des droits de l'Homme],* which gives him the right to do so.

By their actions which we have reported, the judgment which was established in a discriminatory manner by the administrative judges of Martinique in the context of Mr. MARGUERITE's case falls under the scope of the *[(French) Article 114 du Code de procédure civile],* which established the following:
"No procedural act may be declared null and void for a defect in form if nullity is not expressly provided for by law, except in the case of non-compliance with a substantial formality or a formality of public policy.
Nullity may only be declared subject to the burden on the opponent who invokes it to prove the grievance caused by the irregularity, even when it is a substantial formality or a formality of public policy." (translated into English from the original text).

We are exactly in this specific case in what we present in this part.

It thus appears that the administrative judges of Martinique by establishing, within the framework of the adversarial debate, a **"means of public order"** but, by refusing at the same time to reopen Mr. MARGUERITE's case, while it is they who established false and unverifiable elements, expose themselves to all the procedural acts resulting from it, particularly the judgment of this case no. 2200745, being null and void for procedural defect because there was a failure to observe substantial formalities and public order.
The members of the administrative court of appeal of BORDEAUX will be able to only recognize that the procedural act put in place on **March 14, 2024** by the administrative judges of Martinique establishing that **Mr. MARGUERITE received the sum of 19,468 euros under the solidarity fund for March 2020 to February 2021 (see production no. 25)** is a plea based on an error of law, because he did not receive this subsidy for the months of January and February 2021.
In doing so, by establishing on **April 4, 2024 "a plea of public order" (see production no. 27),** the magistrates in charge of Mr. MARGUERITE's case were required to allow him to defend himself.

On the contrary, here is an extract from what was established by the administrative court of Martinique on **April 25, 2024** and which was the subject of a notification dated **May 7, 2024** worded as follows (see contested acts no. 1):
"7. Secondly, Mr Marguerite submitted new submissions in his brief registered on 18 March 2024, now arguing that the amounts of financial aid he received in 2021 were insufficient, **requesting that he be paid the sum of EUR 33,093 as a result.**
These new submissions, submitted more than two months after the application was registered, and moreover after the investigation closed on 9 November 2023, are inadmissible. Consequently, they must be dismissed.
[…] D E C I D E S :

- **Article 1: There is no need to transmit to the Council of State the priority question of constitutionality raised by Mr. Marguerite.**
- **Article 2: Mr. Marguerite's application is dismissed. […]" (translated into English from the original text).**

First of all, it is important to note that this judgment ignores any evidence that Mr. MARGUERITE presented in his letter of **April 11, 2024 (see production no. 31)** that could shed light on the decision of the administrative judges of Martinique who judged his case.

This therefore constitutes a serious infringement of his rights and he is therefore wronged.

On the contrary, his letter of March **18, 2024 (see production no. 26)** which was supposed to allow him to defend himself by proving the inaccuracy of this statement, that of the payment to his benefit of 19,468 euros relating to the solidarity fund, for the period from March 2020 to February 2021, information produced by the administrative court, without carrying out a verification, was the element used against him by the administrative judges of Martinique.

To continue, let us now refer to elements that explain that, by their approach of not allowing Mr. MARGUERITE to defend himself, the administrative judges of Martinique in charge of his case acted towards him in a discriminatory manner and demonstrated an excess of power.
To do this, let us discover this text from the *[Cour de cassation, criminelle, Chambre criminelle, 7 septembre 2021, 21-80.642, texte publié au bulletin],* which established the following: **"[…] Having regard to Articles 171 and 802 of the Code of Criminal Procedure:**
11. It follows from the said articles that failure to observe substantial formalities or those prescribed under penalty of nullity must result in the nullity of the procedure, when this has resulted in an infringement of the interests of the party concerned.

12. The following general principles follow.
13. Except in cases of nullity of public policy, which affect the proper administration of justice, the investigating chamber, seized of a request for nullity, must successively first determine whether the applicant has an interest in requesting the annulment of the act, then whether he has the capacity to request it and, finally, whether the alleged irregularity has caused him a grievance.
14. The applicant has an interest in acting if he has an interest in obtaining the annulment of the act.
15. To determine whether the applicant has the right to bring an action for nullity, the investigating chamber must determine whether the substantial formalities or prescribed required under penalty of nullity, of which the lack of knowledge is alleged, is intended to preserve a right or interest specific to the applicant.
16. The existence of a grievance is established when the irregularity itself has caused harm to the applicant, which cannot result solely from his being implicated by the act criticized. […]
21. However, it follows from Article 6 of the European Convention on Human Rights, as interpreted by the European Court of Human Rights (ECHR, judgment of 10 March 2009, Bykov v. Russia, no. 4378/02), and preliminary of the code of criminal procedure that any applicant must be given the opportunity to challenge the authenticity of the elements of evidence and to oppose its use. […]" (translated into English from the original text).

It is clear here that the fact of non-compliance with the substantial or prescribed formalities results in the nullity of the procedure, when in the end this creates an infringement of the interests of the party concerned.
In the case concerning Mr. MARGUERITE, this means that the administrative judges of Martinique have established as a basis for his case the document in which the DRFIP establishes on October 21, 2021, the cancellation of the enforceable title issued against him and specifies that he received the solidarity fund between March 2020 and February 2021 in the amount of 19,468 euros (see productions nos. 11 and 25), when this is not the case.

Indeed, for the months of January and February 2021, no subsidy was paid to him. Mr. MARGUERITE having asked these magistrates for the right to defend himself and the fact that they refused, in light of the aforementioned text, made the procedure null and void.
And this is all the more so since by their decisions they have harmed his interests, because, the administrative court having arrested him arbitrarily and without supporting evidence, has had a negative influence on the meaning of the judgment issued for his case no.: 2200745.

Let's continue. In the text *[Cour de cassation, criminelle, Chambre criminelle, 7 septembre 2021, 21-80.642, texte publié au bulletin],* which was taken in support, it appears that one of the points which establishes that Mr. MARGUERITE's request tending to demonstrate the nullity of the judgment of his case no.: 2200745 is admissible because, it has been proven, that he had more than an interest in requesting the annulment of the act, therefore of the judgment, since the irregularity established by the administrative judges in charge of his case, leads him to be harmed by the payment of two months of the solidarity fund, i.e. January and February 2021.

Thus, Mr. MARGUERITE could submit a new brief, so that his case is judged fairly, in doing so he has the capacity to act.
The text seen above also presents his right to question the authenticity of the evidence and to oppose its use, according to what is conferred on him by *[Articles 6 de la Convention européenne des droits de l'homme],* as interpreted in the text *[CEDH, arrêt du 10 mars 2009, Bykov c. Russie, n° 4378/02].*

Thus, he was within his strictest rights when he asked the administrative judges in charge of his case to allow him to defend himself by providing irrefutable evidence to dismantle the false allegation that they had recorded in the adversarial debate for his case. (see productions no. 26 and 31). Furthermore, instead of doing him justice, the magistrates in charge of his case noted that all the supporting documents produced in his letter of **March 18, 2024 (see production no. 26),** as well as the entire argument supporting his statements did not deserve their attention. What should we think of such a judgment...?

> It is incomprehensible! For Mr. MARGUERITE, this way of proceeding cannot find its sustainability at the level of the justice of our Nation, which has as its emblem, the inalienable rights of men and citizens.

What happened reflects the fact that the administrative judges of Martinique did not investigate and judge case No. 2200745 of Mr. MARGUERITE, in the configuration of an independent and impartial tribunal, so that his case is heard fairly, according to the right conferred on him by *[Article 6 de la convention européenne des droits de l'Homme].*

> Here, we find ourselves once again in a legal paradox, because on the one hand, the administrative judges establish, within the framework of the adversarial debate, a **"means of public order"** but, they refuse to reopen case No. 2200745 of Mr. MARGUERITE, while it is they who established false and unverifiable elements, thus all the procedural acts that these magistrates instituted in this framework are null for procedural defect because, there was the non-observance of a substantial formality of public order.

But on the other hand, they judged this case on April 25, 2024, which is a discriminatory judgment against Mr. MARGUERITE and which contravenes the rights conferred on him by the *[Article 47 de la Charte des droits fondamentaux de l'Union européenne - Droit à un recours effectif et à accéder à un tribunal impartial],* which established the following:
"Everyone whose rights and freedoms guaranteed by Union law are violated shall have the right to an effective remedy before a tribunal in compliance with the conditions laid down in this Article.
Everyone shall be entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law. [...]". (translated into English from the original text).

Thus, in the context of the discriminatory judgment that the administrative judges established for case no. 2200745, they contravened European law because it was the provisions of *[Article 6 de la convention européenne des droits de l'Homme]* that Mr. MARGUERITE invoked so that these magistrates could allow him to defend himself against the false allegations against him.
In doing so, they were required to take his request into account because European law obliges them, but the administrative judges in charge of Mr. MARGUERITE's case freed themselves from this obligation.

To understand this, we must not lose sight of the fact that the legislation of the Member States of Europe, including France, is subject to the legislation of the European Union and the law resulting from the European institutions must therefore be integrated into the legal systems of these Member States, which are obliged to respect it.

This primacy of European law over the law of its Member States is absolute. The following texts provide us with information on this subject:

- *[Arrêt Costa contre Enel du 15 juillet 1964],*
- *[CJCE, 17 décembre 1970, Internationale Handelsgesellschaft, C/ 11-70].*

It is important to remember that the French administrative judge is a judge of common law of European Union law, and must fulfill his role as **"**judge of common law of application of Union law**"**.

To do this, he must ensure above all that no French legal text contravenes European Union law, and ensure that the principle of primacy of European legislation over that of its Member States is preserved.
In addition, the administrative judge is called upon to dismiss and annul any legal text established within the Member States, which contravenes European standards.
These following texts inform us:

- *[CE, Section, 22 décembre 1989, Ministre du budget c/ Cercle militaire mixte de la caserne Mortier, n° 86 113],*
- *[*JRCE, 30 décembre 2002, *Ministre de l'aménagement du territoire et de l'environnement c/ Carminati,*n° 204 430*],*
- *[CE, 7 juillet 2006, Société Poweo, n° 289 012 ; CE, 27 juin 2008, Société d'exploitation des sources Roxane, n° 276 848],*
- *[CE, Ass, 30 octobre 2009, n° 298 348],*
- *[CE, Ass., 30 octobre 2009, Mme Perreux, n° 298 348],*
- *[CE, Ass., 23 décembre 2011, M. Kandyrine de Brito Paiva, n° 303 678].*

The role of French administrative judges as common law judges applying European law requires them to ensure compliance with European law by administrations and other state entities, to the detriment of specific obligations established internally or within French legislation.

Thus, the liability of the State that contravenes these rules is engaged **"regardless of the state body whose action or omission was the cause".**
In the presence of a legislative text that contravenes European law, the Member State must **"instruct [its] services not to apply it".**

The same applies to any legislative text that disregards France's international commitments. These following texts provide us with information on this subject:

- *[CE Ass., 3 février 1989, Compagnie Alitalia, n° 74 052],*
- *[Arrêt Francovich du 19 novembre 1991 (CJCE, aff. C-6/90],*
- *[CJCE, 5 mars 1996, aff. C-46/93 et C-48/93],*
- *[CJCE, 30 septembre 2003, aff. C-224/01],*
- *[Arrêts Société Arizona Tobacco products et SA Philip Morris France précités],*
- *[CE Ass., 8 février 2007, Gardedieu, n° 279 522 (2)],*
- *[CE Ass., 14 janvier 1938, Société La Fleurette, n° 51 704],*
- *[CE, 18 juin 2008, Gestas, n° 295 831],*
- *[CE, 13 juillet 1962, Sieur Kevers Pascalis, n° 45 891 et CE Ass., 27 novembre 1964, Dame Veuve Renard, n° 59 068],*
- *[CE, 24 février 1999, Association de patients de la médecine d'orientation anthroposophique, n° 195 354],*
- *[CE, 30 juillet 2003, Association « L'Avenir de la langue française », n° 245 076],*
- *[CE, 16 juillet 2008, M. Masson, n° 300 458],*

European legislation, which takes precedence over that of France, gives European citizens the possibility of directly invoking European standards before national courts.
Thus, in disputes between individuals and administrations, the European Union gives them the right to defend themselves by taking European law as a basis, against an administrative act in which the French State has not taken the necessary transposition measures within the time limits.

In addition, the administration at the origin of these rules that contravene both European law and those of an individual must cease to apply them and the State that had put in place this text must cancel it, therefore repeal it.

Similarly, the court handling the case must refrain from applying a procedural rule of domestic law to the detriment of a rule of European law.

Furthermore, if no text of national legislation allows the implementation of a procedure of European law, one must be created.
The following texts provide us with information on this subject:

- *[Arrêt Van Gend en Loos du 5 février 1963],*
- *[Article 288 du TFUE],*
- *[Arrêt Politi de la CJCE du 14 décembre 1971],*
- *[Arrêt du 4 décembre 1974, Van Duyn],*
- *[CE, 18 juin 2008, Gestas, n° 295 831],*
- *[CJCE, 10 juillet 1997, aff. C-261/95],*
- *[Arrêt Simmenthal],*
- *[CJCE, 19 juin 1990, Factortame, aff. C-213/89].*

From the above, we understand that when, while it is the administrative judges in charge of his case, who have established a procedural act tainted with irregularity, and that in return, Mr. MARGUERITE claims European law, in order to defend himself, these magistrates could not in any case refuse his request, because they are above all **"common law judges applying Union law",** who have the obligation to implement requests from citizens in order to respect European law.

In addition, in the context where the national law is not adapted to European law, the administrative judges must first and foremost take European law into account.

Thus when these magistrates implement within the framework of a **"means of public order"** which is, let us recall **"A argument relating to a question of such importance that the judge would himself disregard the rule of law that he is responsible for enforcing if the court decision rendered did not take it into account"** and that in return they deprive Mr. MARGUERITE of the right conferred on him by European law to defend himself, in this case, these magistrates contravene their prerogatives as **"common law judges applying Union law".**

Thus, they have rendered themselves incapable of rendering a judgment, as an independent and impartial tribunal, which would have allowed Mr. MARGUERITE's case to be heard fairly.

In doing so, all the acts that the administrative magistrates in charge of Mr. MARGUERITE's case have taken since they failed to take into account his request of April 11, 2024 (see production no. 31) based on this text of the aforementioned European law and intended for him to be able to defend himself, therefore including the judgment of his case no. 2200745, which occurred on April 25, 2024, are null and void.

Based on all that has just been presented, the members of the administrative court of appeal of BORDEAUX will only be able to annul this judgment that the administrative judges of Martinique established in this case in a discriminatory manner against Mr. MARGUERITE, because they did not have the legitimacy of an independent and impartial tribunal when they ruled, which would have allowed his case to be heard fairly, according to the *[Articles 6 de la convention européenne des droits de l'Homme].*

This discriminatory judgment that the administrative judges of Martinique have established must be annulled and once it has been overturned, it will be up to the members of the administrative court of appeal of BORDEAUX to put in place the new bases which will allow Mr. MARGUERITE's case to be handled by an independent and impartial tribunal, so that his case is heard fairly.

10 Brief career synopsis, philosophy of life and discriminatory oppression :

To begin with, we will tell you that this reality that Mr. MARGUERITE is undergoing in the face of the oppression of Sunday laws, he has not always experienced it, because he has not always observed the Sabbath, being Catholic at birth. As a result, Sunday was his day of worship and rest, so, during the first ten years of his career he always worked on Saturday while resting on Sunday. So that when he embraced the profession of mixed hairdresser at 15 and a half years old, he had no idea of the suffering that awaited him.
Things got complicated when, around the **age of 27,** he took a stand for the Lord, and chose to observe the Sabbath by embracing the Seventh-day Adventist faith.

> The two foundations of the faith of the Seventh-day Adventist religion that all their members must confess in order to be baptized are the acceptance of the observance of the Sabbath and the payment of tithes and offerings to this religion (see production no. 32).
> The concrete proof of Mr. MARGUERITE's adherence to this religion are the tithes and offerings that he has paid to it, the oldest receipt that he was able to find dates back 20 years, that is to say to the year 2004. (see production no. 32).
> It should be noted that although Mr. MARGUERITE is no longer part of this religion, because of divergence of creeds of faith, he still remains a diligent observer of the Sabbath, which is the main axis of his Christian faith.
> It seems important to us to demonstrate his basis of faith in the observation of the Sabbath to present to you one of his books showing his convictions on the subject and which is entitled **"Inquisitiô (The three angels' message), tome III. The reality of the attack of the little horn of Daniel 7 against the Law of God and the times of prophecy. Prophetic part"** see the **"Booklet 4: Biblical guidelines for keeping the Sabbath"** and **"Booklet 5: Satanic Counterfeit Sabbaths".**
> This book can be downloaded for free from the site: https://www.kenny-ronald-marguerite.com/inquisitio-tome-3-en-anglais

Now that this point has been established, let us continue. To do this, we will tell you that being a hairdresser and not working on Saturdays was becoming a challenge. At the time, while Mr. MARGUERITE had almost never been unemployed during his ten-year career, he found himself facing a new and unexpected problem that took the form of Sunday (dominical) laws. This reality was materialized, among other things, by the fact that he had to apply for many months without success in several hairdressing salons, the reason for these refusals being that as a Sabbath observer, he does not work on Saturdays.

Indeed, these hairdressing salons were interested in Mr. MARGUERITE's profile and wanted to hire him, but to do so, he had to be present in their business one of the two days of the weekend. In the meantime, he had done odd jobs that could not bring him financial stability. However, not finding work as a mixed hairdresser because he did not work on Saturdays, he held on as best he could, but in 1999, his family situation changed and it became imperative that he find work, while preserving his faith in the Sabbath.
To do this, during the year 2000, at the age of 27, Mr. MARGUERITE had to resolve to immigrate to Guyana with his family, where he had found a job as a mixed hairdresser having managed to keep his Sabbath, at the Viviane Estétique salon.
It was a real uprooting, but he had no choice. The manager, while accepting that he continue to observe the Sabbath, had to, after the first semester, hire, in parallel, another employee for Saturdays only. However, as the requests for services became more important, she decided to hire the two employees part-time.
This situation was catastrophic for Mr. MARGUERITE because it was not the hiring basis initially planned, he therefore found himself in a foreign land, with half a salary, and he could not find another job, since he did not work on Saturdays, a busy day in hair salons.

In order to provide for his family, he therefore decided to open his hair salon (We will talk about it more later).
After this time spent in Guyana, Mr. MARGUERITE and his family returned, and since then, being now certified, because he had asserted my acquired skills and on September 9, 2000, he received the **"certificate of validation of professional skills (value of the B.P.)"** (see production no. 6), he could now apply for more important positions within hairdressing salons.
This is how, after months of struggle, on November 3, 2003, Mr. MARGUERITE was finally able to break through and he was hired by the hairdressing company GILL Coiffure. (see production no. 33).

In order to make the number of working days effective, he suggested to the owner of this hairdressing salon to open on Wednesdays, which until then had been closed, so that he could develop a new client for her instead of Saturdays, when he could not be at his post, let us remember, because he observes the Sabbath.
She agreed to open on Wednesdays during the month of notice, and the performance was such that Mr. MARGUERITE was hired at the end of the trial month.

The same causes producing the same effects, the problems encountered so many times during his career reappeared, because faced with the new influx of the clientele he had developed, he once again found himself facing the same dilemma:

> Work on Saturdays or resign, the manager having given him an ultimatum saying this: *"Kenny, your customers have increased considerably, your presence is sorely missed on Saturdays, you have to find a solution"!*

Of the two solutions available to him, he chose the second, that is to resign, the objective being above all to preserve his faith in the Sabbath. Thus Mr. MARGUERITE worked as a mixed hairdresser within this company from November 3, 2003 to December 24, 2003.

We must specify that the rejections of Mr. MARGUERITE's applications were generally done either directly or by telephone, in this case, he does not have much evidence to present. Nevertheless, he has explicit feedback on the matter, that of a mixed hairdressing salon in Cergy where the same problem arose.

At the end of the telephone interview which seemed conclusive, Mr. MARGUERITE sent the email *[Mail du 11 juil. 2014 12:08. Objet Candidature],* to this employer and the content of which is as follows:
"Good morning Mrs Menard, As agreed I am sending you my CV and a cover letter, I have just bought my train ticket so I confirm my appointment for Wednesday 16th at 11am.
In order to present my work as a hairdresser consultant I have at your disposal a series of programs that I have produced on certain radio stations and that I can send to you by email if you wish. Kind regards, Mr MARGUERITE."

In return, Mr. MARGUERITE received the email *[Mail du 11 juil. 2014 15 : 49. Objet Candidature],* who notified me of the following: **"Good evening, I have received your CV and cover letter.** *See you Wednesday. Kind regards. MRS Menard".*

Although everything was well underway and a job seemed to be on the horizon, Mr. MARGUERITE preferred not to wait for the trial period to tell his employer that he would not work on Saturdays.
To do so, here is a copy of the email he sent him *[Mail du 13 juil. 2014 à 04 : 16] :*
"Good morning Mrs Menard, I thought it best to respectfully revert to you today, because I believe it is more considerate to inform you of the following point before we meet! I observe the Sabbath, so I do not work from Friday at sunset to Saturday at sunset.

And this faith is not just a flight of fancy, since I have written two books on the subject […] So it would be just as grave for me to work on the Sabbath as to kill or steal.
I was going to tell you about it during our interview on Wednesday, but out of respect and so that you don't have to waste your time, in case my profile doesn't suit you, I preferred to tell you about it in advance.
I have 22 years of experience in hairdressing and I know that Saturday is the biggest day of the week in terms of turnover and that a boss rarely agrees to have an employee who doesn't work on that day. I would understand if you would prefer to cancel Wednesday's appointment. May the Lord, whom I serve and love, above all bless and keep you! Sincerely, Kenny MARGUERITE".

And the response received from the employer was the following email: *[Mail du 13 juil. 2014 à 17:04. Objet: Candidature]* : **"Good evening, I do indeed think it would be better to cancel the appointment for Wednesday the 16th. Yours sincerely, Mrs. Menard".**

Mr. MARGUERITE also has another example that shows how specifying to the employer that he does not work on Saturdays, due to observance of the Sabbath, closes the door to a potential job, in the exchanges he had with Mr. Pierre CABANIE the recruiter for the chain of hair salons and hairdressing schools Jean-Claude AUBRY. It all started when he applied for a job offer from this company through the Pôle Emploi.
And the response he received from the employer was the following email: *[Mail du 27 mars 2014 à 08:03:54. Objet: Votre cv]: "Please send it to bpc@jeanclaudeaubry-coiffure.com. Kind regards, Pierre CABANIE. 0643019730".*

His profile suited this recruiter, so it was agreed that Mr. MARGUERITE would start with a **salary of 3,000 euros, progressive.** He would have to come and settle in mainland France in order to integrate a three-month training course in order to master his new position.
However, until then he had not yet presented his basis of faith, as a Sabbath observer. To remedy this, he sent the following *[Mail du dim. 30 mars 2014 à 08:13. Objet : Re: votre cv]* to this gentleman:
"Good morning Mr CABANIE, after reflection, the Easter holidays being a big period when I receive my clients at my salon (hairdressing), I am putting everything in place with a view to arriving after the holidays.
For the quote for the 3-month training, can you put the date of the start of the training from APRIL 25? PS:
In the training schedule, please do not include Saturday, because I do not work that day, I respect the Sabbath. Kind regards, Mr Kenny MARGUERITE."

Following this email, he did not receive any response, so he sent the following email to this recruiter: *[Mail du 3 avr. 2014 à 08:20. Objet : Mise au point]:*
"Good morning Mr. CABANIE, I am writing to you today, I am very disappointed and also very saddened because I have still not received the quote for the training that you promised to send me Monday at the latest today (Thursday).
And after several attempts to reach you by phone, my calls were unsuccessful. My feeling is that, not meeting the selection criteria to be a teacher in your institute because I do not work on the Sabbath (Saturday), you have boycotted my training request.
This saddens me greatly, it is only my feeling, certainly other hazards have contributed to this situation, but nevertheless on a professional level, the image that you give of the company that you represent is very negative, because the word of man determines for me his values.
It would have been better for you, from Monday to let me know that you were not interested in training me instead of leaving me in this disrespectful wait. In all things, may the Eternal God whom I serve, guide you, keep you and bless you. Sincerely, Mr. MARGUERITE."

Subsequently, Mr. MARGUERITE was able to speak with this gentleman by telephone who explained to him that his absence on Saturday would be problematic, since he would not be able to meet their requirements in terms of timetables allocated to teachers, their schools being open from Tuesday to Saturday.
From there, so that employers would be prepared for his profile, Mr. MARGUERITE included in my CV that he did not work from Friday 3 p.m. to Saturday sunset, because he observes the Sabbath. (see production no. 33).

It should be noted that with his new seminar concept, Mr. MARGUERITE recently contacted Mr. CABANIE again for a partnership request. (see production no. 33).
Mr. MARGUERITE returned to the reality of the Sabbath which had prevented them from collaborating. However, in this partnership project, this should not pose a problem, he is still waiting for a response. Now that this parenthesis is closed, let's go back to the period that followed the first rejection of Mr MARGUERITE's application as a teacher for the Jean-Claude AUBRY brand.
Apart from that, despite these setbacks, determined to work, despite all the successive rejections to her credit throughout the years, M. MARGUERITE continued to apply for job offers and he ended up being selected for a position as technical manager of a hairdressing salon. The manager was immediately interested in her profile.
However, a major problem arose:

Mr. MARGUERITE does not work on Saturdays!

In order to resolve this problem, he offered to work on Sundays and she accepted. Unfortunately, they were very surprised to discover that she was only allowed to open five Sundays a year, under penalty of relatively high fines.

In view of the laws prohibiting working on Sundays, these examples that we have just cited are representative of the discrimination that Mr. MARGUERITE suffers, as well as all those who, like him, observe the Sabbath, because his case is not isolated.
His experience demonstrates how much employers are held hostage by these laws. Those we have cited as examples were interested in Mr. MARGUERITE's profile, but while he met all the criteria, they rejected his application because of his faith.

It is true that the obligation not to have their employees work on Sundays is a significant pressure and the repercussions are certain for employers in the hairdressing sector who would contravene the *[(French) loi du 13 juillet 1906 établissant le repos hebdomadaire en faveur des employés et ouvrier]* and to the *[(French) Article 10 de la Convention collective nationale de la coiffure et des professions connexes du 10 juillet 2006, étendue par arrêté du 3 avril 2007 JORF du 17 avril 2007].*

The texts we are referring to below show what a company risks if it makes its employees work on Sundays when it does not have the right to do so:

- *[(French) Articles L 3132-1, L 3132-2, L 3132-3, R3135-2 du Code du travail],*
- *[(French) Articles 131-13, alinéa 5, 132-11 et 132-15 du Code pénal].*

In these texts it is stipulated that anyone who opens his business on Sunday when he is not entitled to will be fined **€1,500 for each employee working on that day.**

This fine may be increased to € 3,000 in the event of an immediate recurrence. Therefore, for any new offence, the offender will be liable to pay 10 times the sum of € 1,500, i.e. **€ 15,000** for each Sunday he opens.

Thus, being a Sabbath-keeper who practices the profession of mixed hairdresser, from these two realities, Mr. MARGUERITE's faith and the Sunday (dominical) laws, result the fact that his application to be hired within a hairdressing salon has become impossible and this has lasted for **27 years.**

Indeed, because of his faith and the Sunday laws, Mr. MARGUERITE cannot be present within a company during the weekend. As a Sabbath-keeper, he cannot work on Saturday which is his day of worship and rest reserved for the Lord.

Saturday being a key day for the hairdressing profession, he could have made up for the lack of his absence by working on Sunday but the employer is constrained by Sunday laws, because French legislation has established that the weekly rest of hairdressers must be given on Sunday.
Thus, the *[Extract from: Article 9 de la Convention collective nationale de la coiffure et des professions connexes du 10 juillet 2006. Étendue par arrêté du 3 avril 2007 JORF du 17 avril 2007 (translated into English from the original text)]* establishes the following:
"Sunday rest remains the rule of principle in accordance with Article L. 221-5 of the Labor Code. *It can only be waived within the framework of the legal provisions in force. In this case, Sunday work will be done by calling for volunteers. Employees will be notified at the latest 15 days in advance.*
Work on a Sunday will give rise to 1 day of compensatory rest in the following 2 calendar weeks and to an exceptional Sunday work bonus equal to 1/24 of the employee's monthly salary."

In addition, in the *[Extract from: Article 10 de la Convention collective nationale de la coiffure et des professions connexes du 10 juillet 2006. Étendue par arrêté du 3 avril 2007 JORF du 17 avril 2007 (translated into English from the original text)],* here is what is established:
"Employees will benefit from a rest period of 24 consecutive hoursset for Sunday by application of Article L. 221-5 of the Labor Code *and 1 additional day, allocated in rotation in agreement with the employer and according to the needs on duty. (1) […]*
(1) Paragraph extended subject to the application of the provisions of Article L. 221-4 of the Labour Code, under the terms of which the weekly rest period must have a minimum duration of 24 consecutive hours, to which must be added the consecutive hours of daily rest provided for in Article L. 220-1 (Order of 3 April 2007, art. 1).

Like all laws prohibiting working on Sundays, this clause in the National Collective Agreement for Hairdressing is discriminatory against those who do not work on Saturdays.
It should be noted that minimal exceptions exist and allow hairdressers to work a limited number of Sundays, set in advance, such as the end-of-year holidays.
Here is what we can read about it: **"Under current regulations, apart from the sectors covered by a prefectural decree pursuant to Article L. 221-17 of the Labor Code, there is no prohibition on the opening on Sunday of a commercial and craft establishment such as a hairdressing salon, but only for the employment of employees on Sundays in such establishments pursuant to Article L. 221-5 of the same code.**
Unless otherwise ordered by the prefect, a hairdresser-owner is therefore free to open his salon on Sundays. On the other hand, since hairdressing is not an activity covered by a sectoral derogation under Article L. 221-9 of the same code, hairdressing salons employing employees cannot open on Sundays, except during Sundays (5 at most) determined by the mayors in application of article L. 221-19 of the same code when the municipal decree has specified it.
Hairdressing not being, as such, a retail trade, it is only by an extensive interpretation that this sector could be taken into account.
The Government has initiated a reflection on all the provisions relating to the employment of employees on Sundays, wishing to take into account the wishes and interests of consumers as well as those of retail employees, as well as its objective of increasing France and improving the purchasing power of the French, in particular by reducing prices. It is within this framework that sectoral issues, such as hairdressing, can be taken into consideration. [Commerce et artisanat, coiffure, ouverture le dimanche. Réglementation.

Question N° : 11243 de M. Roubaud Jean-Marc au ministre de l'économie, des finances et de l'emploi. Réponse publiée au JO le : 25/03/2008 page : 2617. Tiré du site : https://questions.assemblee-nationale.fr (translated into English from the original text)].

Thus, a hairdresser who works alone is not subject to the obligation to observe Sunday rest. However, as soon as he hires employees, his company is subject to this rule for its employees. In this context, it is only during the days already established, namely 5 Sundays per year, that an employer working in the hairdressing sector can allow his employees to work on Sunday.

Which therefore means that these two weekend days, potentially interesting for this activity, cannot be included in Mr. MARGUERITE's work schedule within a company, since on the one hand on Saturday, as expressed, given his faith which is the center of his life, this is impossible for him since he observes the Sabbath which covers Saturday; on the other hand, for Sunday, it is the Sunday (dominical) laws that have been instituted in France.
These Sunday laws harm all those who, like Mr. MARGUERITE, observe the Sabbath, and put their faith and their finances to the test, but are also an oppression for the bosses who are themselves victims of them.

> *It is important to emphasize that in these Sunday laws there are exceptions allowing certain trades to work by rotation, such as those working in the medical field, those selling newspapers, those selling flowers, etc.*

All other trades can only work a limited number of Sundays per year, under penalty of fines. It is this ban on working in shifts that in this century paralyzes the French economy, and weighs on companies that do not benefit from an exception.
Mr. MARGUERITE's experience demonstrates how Sabbath and Shabbat observers as well as employers are held hostage by these laws, which are themselves unconstitutional.
We provide you with the evidence in this book in the section entitled **"Historical and legislative reality of the unconstitutional character of the Sunday laws".**

To return to Mr. MARGUERITE's experience, we will tell you that since he could not find work because he could not be present at the company on the two days of the weekend, on Saturday to observe his faith and on Sunday constrained by Sunday laws, the only solution available to him was to open a hairdressing salon, because as seen previously, the law allows hairdressers to work on Sundays.

In order to provide for his family, in 2001 Mr. MARGUERITE decided to open his first hairdressing salon in Guyana (see production no. 1).
He registered his business, even though he had no experience as a hairdressing salon manager or in accounting. He was a good technician, who until then had never, even for a moment, considered becoming a business manager.

This experience was brief, having set up this business in a hurry, he was unable to manage it and having started the business without working capital, a few months after its registration, he had to stop the activity of this first hairdressing salon on January 27, 2002.
From then on, finding himself again without income, his family and he chose to return to Martinique less than two years after arriving in Guyana.
On their return to Martinique, things were even more difficult because, with the birth of their child, the responsibilities were now heavier.

Mr. MARGUERITE applied again as a mixed hairdresser, but it was always the same old story, his application could not be accepted because he did not work on Saturdays and all doors were closed to him for this reason.
In doing so, in order to provide for his family, he did, as we have already seen, small precarious jobs that could not bring financial stability.

Since observing the Sabbath was a hindrance to his hiring, forced by circumstances, Mr. MARGUERITE opened a new hair salon in Martinique at the age of 31.
This salon was called CENTRE GALAAD, and he began his activity on June 12, 2003 (see production no. 1).
Thus, having not acquired more experience in business management, and not being in any way prepared to be a business leader, he found himself at the helm of his second hair salon, no more equipped than the first time.
The problem is that since the objective was to “to earn a loaf of bread (earn a living)”, he again started without any working capital and even without premises.
Initially, he carried out his activity by traveling to his clients' homes for his services, then he set up his hairdressing salon on his parents' veranda and later in a small studio that his mother had made available to him.
Not trained for entrepreneurship, as stated, Mr. MARGUERITE made many management errors. One of them was to set prices that were too low.

He therefore worked at a loss throughout the duration of this hairdressing salon. In addition, the income from the hair salon was not enough to allow him to hire an accountant, so he survived while being a business manager.
The inevitable consequences were the liquidation of this company on November 6, 2012, due to insufficient assets.
Mr. MARGUERITE therefore managed this hairdressing salon for a little over 9 years. When it was liquidated, he found himself in the same situation as before it opened. He was a Sabbath-observant hairdresser, unemployed again. From then on, he applied for several job offers as a mixed hairdresser, in mainland France and the Antilles (French).

As in the past, employers showed their interest in him, his skills were recognized, but when he announced that he did not work on Saturdays, it was always the same scenario that happened, his application was not accepted.
The most frustrating thing is that he had the ardent desire to work as an employee of a hairdressing salon, but he was still and always discriminated against because of these laws that regulate Sunday work in this professional category and prohibit a hairdressing salon manager from hiring a hairdresser to work on Sundays, all year round.

In doing so, finding himself still in great precariousness, the harshness of life led him on August 14, 2011, to set up a new hairdressing salon that he called Dieu t'aime SARL. (see production no. 1). Weakened by his past experiences, he had little hope for the future of his new business but his goal was just to survive.
The same causes producing the same effects, Mr. MARGUERITE still had no working capital and he could not therefore hire an accountant to follow the accounting of this new business, which lasted a little over three years, January 27, 2014 sounded the end of his activities.

Mr. MARGUERITE found himself again in the same position as in the past, he was unemployed, he received the RSA and no hairdressing salon, although interested in his application, agreed to hire him because of what was becoming a heavy constraint, he could not be present on weekends because of Sunday laws and by virtue of his convictions as a Sabbath observer.

To ensure the bare minimum, the RSA was not enough, so he tried to set up a new hair salon, the fourth, which began its activities on August 24, 2015, Mr. MARGUERITE called it Black pearls. (see production no. 1).
Very quickly this hair salon, like the others, showed the same difficulties, but he kept it alive, **“on life support”,** because he knew that as a Sabbath observer, he would not find work as a salaried hairdresser, because of this thorn that is the Sunday laws.
While this salon existed, a new door opened to him, that of writing.

Thus, in order to market his writings, Mr. MARGUERITE created in parallel with this last hair salon, a new company in the world of publishing and seminars. This company is called les Édition Dieu t'aime sas (EDT SAS) with a start of activities dating from November 12, 2014. (see production n° 1).
Unfortunately several problems “invited” themselves, the first was Mr. MARGUERITE's good heart (incompatible with the business world), and his need to share his knowledge, which leads him to give everything for free. Thus, it was only for the last seminar on the fifty that he held that he asked for remuneration.
In doing so, although his reputation was beginning to settle in and people were asking him more and more for advice, the finances did not follow.

Thus, the same problems of his former companies resurfaced, Mr. MARGUERITE was a poor manager, because he was not trained for it, but condemned to continue in entrepreneurship, under penalty of being in a perfect shortage because of the Sunday (dominical) laws, as emphasized many times.
What allowed his company to survive was the sale of books, and there again things were complicated because to do this, they were placed in bookstores on consignment sale, as is generally the custom.
In doing so, Mr. MARGUERITE was limited in the possibilities of being able to work, because the sale of books alone could not be enough to bring sustainability to this company. Thus, although it was a great adventure, at the beginning of 2017, he had to face the facts, he could not continue like this.

Indeed, his situation had not changed since this company had been created, he still did not have a fixed income allowing him to plan for the future. For things to change, he therefore had to have a salary. In the meantime, Mr. MARGUERITE was able to get advice from an accountant who pointed out his management errors.
From then on, he understood that he had to change “his approach”, because the sale of books was insufficient to allow him to have an income.
What was profitable were the hair assessments carried out but, not being equipped, he could not charge them at the right price.

Mr. MARGUERITE therefore wanted to further develop this activity of hairdresser advising on hair problems for black and mixed-race women, however, the underlying problem remained, his companies Black pearls – which still existed although moribund – and the Édition Dieu t'aime sas (EDT SAS) were not viable. He therefore had to carry out a thorough reorganization.
To do this, as he had no debt at the Black pearls hair salon, he closed it, he ceased his activities on July 3, 2019. This hair salon remained active for a little over 4 years.

On the other hand, for the company Édition Dieu t'aime sas (EDT SAS), things were more difficult, because over time this company was in debt.
From the experience of his first companies which failed, due to lack of working capital, and for which he had to file for bankruptcy, Mr. MARGUERITE knew that the latter in the long term would not be profitable, but he chose to keep it while he cleared his debts, especially the tax ones, then his goal was to file for bankruptcy.

In order to be able to earn a salary that he could not claim with his company and not wanting to find himself surviving by receiving the RSA, he set up a second company in July 2019, but he chose to continue the activities of the Édition Dieu t'aime sas (EDT SAS) in parallel. The new company M. MARGUERITE, set up in his own name, began its activity on July 24, 2019 with the trade name, Perle Noire, the name used for its activities is Édition GALAAD (see production n° 1).
This company was set up under the legal form of an EIRL and began its activity on July 24, 2019. The activities carried out by this company are as follows:

Publishing books, training, advice, organization of cultural events, advice on makeovers and hairdressing in salons, website.

From the creation of his company in July 2019 to March 15, 2020, the date of the implementation of the first curfew due to the Corona virus pandemic, Mr. MARGUERITE carried out his activity in the two departments, Guadeloupe / Martinique and in mainland France.
From the start of his activity (July 24, 19) until December 31, 2019, this company generated a personal income for Mr. MARGUERITE for this period of **17,770 euros,** which represents an average monthly income of **3,554 euros.**

Then for the first months of 2020, (for January and February 2020) this company brought him a personal income of **4,646.50 euros** per month. It is certain that with the disappointments of his first companies and with the experience acquired, “taking blows”, Mr. MARGUERITE had finally arrived at having a more than decent income.

This was without counting on the pandemic due to covid 19 which swept away with a backhand the forecast put in place which seemed to hold up.

With the arrival of the pandemic there were restrictions put in place by the French government to try to curb it, to do this, successive measures were taken, among others, the obligation of vaccinal for certain professionals, such as those who like Mr. MARGUERITE hold seminars.
As soon as the “sanitary pass” was introduced, gatherings were only possible under certain conditions, his activity linked to the organization of seminars was hit hard by these restrictions.
Thus, from March 16, 2019 to April 9, 2022, due to the vaccinal laws against covid 19, Mr. MARGUERITE was unable to resume his activities and during this period, he had to remain on technical unemployment.
Thus, due to the restrictions that were put in place by the vaccinal laws against covid 19, this beautiful professional surge that was beginning to materialize, before the pandemic was reduced to dust, causing Mr. MARGUERITE's businesses to be particularly impacted and he now finds himself, due to lack of finances, unable to reschedule seminars, the backbone of his professional activities.

Considering his current particularly precarious situation, his only possibility of survival would be to find work within a company as a salaried hairdresser.
Today, through the experience acquired, often at his own expense, Mr. MARGUERITE has become a seasoned business manager, who could normally find many employers willing to employ him to manage their business.
Unfortunately, Sunday (dominical) laws still constitute a brake and an obstacle for the door of jobs as a hairdressing salon manager to be opened to him.

Still for the same reasons, he does not have the possibility of being present on weekends, even though Sunday (dominical) laws are of religious origin and therefore unconstitutional.
In this document in the section **“Historical and legislative reality of the unconstitutional character of the Sunday laws”,** we bring you the evidence of the religious and therefore unconstitutional nature of the Sunday (dominical) laws forcing certain professionals to only allow their employees to work a limited number of Sundays in the year.

Unfortunately, these Sunday (dominical) laws close many doors to Mr. MARGUERITE and deny him any hope of a better professional future as an employee of a hairdressing salon.
Apart from that, we must specify, if need be, that becoming an entrepreneur and remaining one for the last 27 years was not a deliberate choice, a desire to undertake but rather a necessity, for Mr. MARGUERITE, the only possibility left to him to hope to have a decent income. Alas! This was not the case.

The constraint imposed on Mr. MARGUERITE by the Sunday (dominical) laws, instituted in France preventing him from being hired by an employer on Sunday to replace Saturday, his day of worship, was at the origin of all these difficulties encountered.
Becoming a business leader, when it is a choice, is perfect, but when you become one in spite of yourself, it is terrible, when you are neither prepared nor willing.

And all this, why?

To escape the constraints imposed by these Sunday laws which are nevertheless unconstitutional because of religious essence. And this, while France “is” a secular State, which has freed itself from religious laws, where no religious decree can come to alienate the freedom of French citizens.
Thus, Mr. MARGUERITE did not have for more than two decades, as an observer of the Sabbath, the same chances of succeeding in his professional life as those who, themselves, have Sunday as a day of rest reserved for the Lord.

Mr. MARGUERITE has thirty-five years of experience as a mixed hairdresser and employers are interested in his profile, but the Sunday laws prohibiting employers in the hairdressing sector from having an employee work on Sundays is an obstacle to his hiring, all these elements also contribute to the very great precariousness in which he finds himself.
Thus, everything that we have developed previously has accentuated Mr. MARGUERITE's financial difficulties and continues, in a discriminatory manner, to keep him in great precariousness.
This violation of his rights by the French State, due to the establishment of the vaccinal laws against covid 19 and Sundays (dominical) is at the origin of the disastrous financial situation in which Mr. MARGUERITE has found himself, for the **last 27 years.**

To continue, we will tell you that he had to put in place legal steps in order to assert these rights violated by the Sunday laws. One of them is an appeal that Mr. MARGUERITE sent to the Defender of Rights. (see production no. 34).
By reading this letter, which was intended for the Defender of Rights, we realize that the main axis that would have allowed Mr. MARGUERITE to win his case, namely the unconstitutional reality of the Sunday laws, he could not, at that time claim to demonstrate it, because citizens did not have this power at their disposal, when he appealed.
Thus, the Sunday laws having been established and being active in French legislation, no citizen or lawyer could then attack them without being dismissed and this, because no law allowed it. Things have since changed, to the great delight of Mr. MARGUERITE, with the implementation in 2008 of the following *[Par une décision rendue aujourd’hui, le Conseil d’État juge qu’une personne peut obtenir réparation des préjudices qu’elle a subis du fait de l’application d’une loi déclarée contraire à la Constitution par le Conseil constitutionnel. Tiré du site https://www.conseil-etat.fr]*.

This part that we have just presented to you is, within the framework of a QPC, a new possibility that the legislation of our country (French) has offered, since 2008, to French citizens allowing them to attack an unconstitutional law, so that it is repealed.
Mr. MARGUERITE discovered this reality when the vaccinal laws against covid 19 had increased the suffering that he was already enduring with the Sunday (dominical) laws, and this, for decades, we have already expressed it through the various misadventures that he encountered, through these job searches.
Mr. MARGUERITE therefore tried to set up a QPC against the Sunday (dominical) laws, so that they are repealed, by the Constitutional Council, under the cover that his file is first accepted by the administrative judges and by the Council of State.

> His aim was to make it known that by preventing him, as a Sabbath-keeper, from working on Sundays in a hair salon as an employee, the French state was imposing discriminatory oppression on him.

Mr. MARGUERITE's first step was to present the harsh realities he endured under the yoke of Sunday (dominical) laws and in order for this to stop, he first sent a letter to the DEETS (Regional Directorate for the Economy, Employment, Work and Solidarity "French") of Martinique on August 12, 2022. (see production no. 35).
In this context, he requested an exemption request which would allow him, as a Sabbath observer, to work as an employee for an employer on Sundays, but his letter remained unanswered. Still in a search for conciliation, he sent a reminder to the DEETS of Martinique, a letter received on January 24, 2023, this request also remained unanswered.
Here is an excerpt: **"[…] I explain below the reasons for such a request.** *I am a Sabbath observer and I work as a mixed hairdresser, from these two realities result the fact that my application to be hired in a hairdressing salon has become impossible and this has lasted for 27 years.*
I have in the meantime created my own salon to be able to practice my profession but the impacts of the health crisis have been considerable on my structure and I am considering returning to the job market. […]" (see production no. 35).

It should be noted that it was with the aim of changing his situation that Mr. MARGUERITE sent, on August 12, 2022, a request for exemption to the Department of Economy, Employment, Labor and Solidarity (DEETS "French"), which would allow him as a Sabbath observer, therefore someone who does not work on Saturdays, to be able to do so on Sundays, in a company that would agree to hire him as an employee. Here the primary object of his approach targets the repercussions of the health crisis, therefore of the health laws, based on the vaccinal laws against covid 19, which have impacted his companies.

These Sunday laws have had consequences just as disastrous on Mr. MARGUERITE's life as those relating to the vaccinal laws against covid 19. This is what motivates the presence of the full letter from which the above extract is taken and his file which appear to us to be admissible in the context of this QPC. The purpose of both laws is the same, they have kept Mr. MARGUERITE in a precarious situation.
Now that this point has been clarified, let's get back to this letter, its reason for being is that Mr. MARGUERITE is a Sabbath observer and he works as a mixed hairdresser, from these two realities results the fact that his application to be hired in a hairdressing salon has become impossible and this has lasted for 27 years.

Indeed, because of his faith and the Sunday laws, he cannot be present in a company during the weekend. As a Sabbath observer, he cannot work on Saturday which is his day of worship and rest reserved for the Lord. Saturday being a key day for this activity, Mr. MARGUERITE could have made up for the shortfall of his absence by working on Sunday, but the employer is constrained by Sunday laws to only allow him, as a mixed hairdresser, to work a limited number of Sundays, fixed in advance, such as the end-of-year holidays.
This reality appears in *[Article 10 de la Convention collective nationale de la coiffure et des professions connexes du 10 juillet 2006. Étendue par arrêté du 3 avril 2007 JORF du 17 avril 2007].*

So, as long as Mr. MARGUERITE works for himself, he can now open his hair salon as many Sundays as he wants, but as an employee, the number of Sundays he can be present in a business is limited.
So he found himself at the end of this terrible pandemic, because of the technical unemployment that the vaccinal laws against covid 19 had instituted for the unvaccinated, financially unable to resume his activities, and in return, because of the Sunday laws, he could not be hired by a hair salon which, in return for his absence on Saturday due to observance of the Sabbath, would accept that he work on Sunday.
This is incomprehensible to Mr. MARGUERITE, because these laws are of a religious nature and therefore unconstitutional and therefore have no reason to exist in the secular Republic that is France.

This situation is all the more frustrating because, as a entrepreneur working on his own account, Mr. MARGUERITE was used to working on Sundays, as soon as the law allowed it. Thus, to get out of this state of precariousness into which the vaccinal laws against covid 19 had plunged him, he wanted to start working again for a company as an employee, but from experience, he knew that not being able to be there both days of the weekend would be a barrier to his hiring.
Thus, having had no response, following his first claim to the DEETS of Martinique, to defend his cause, in parallel with the reminder sent to them, Mr. MARGUERITE also made a hierarchical appeal to the General Directorate of Labor (DGT “French”). (see production no. 35). This, with a view to conciliation, this letter was received on January 26, 2023. No follow-up was given by this means either.

In doing so, as is appropriate within two months, so that his request for exemptions could be heard, he set up a file with the administrative court of Martinique. This case was registered, through the Citizen's telerecourse, by the registry of this court on April 3, 2023 under No. 2300194. Then on April 26, 2023, Mr. MARGUERITE filed a QPC.
This case was dismissed and declared null and void by the administrative judges due to the non-existence of a compliant contested act since this administration had not responded to Mr. MARGUERITE's letter. Otherwise, he could have validly made his voice heard at the administrative court level.
Here again, we note the legal vacuum that exists within the laws governing administrations. An individual cannot obtain justice, because civil servants, who have the obligation to respond within legal deadlines to the requests they receive, do not do so. In return, nothing is done to ensure that citizens' appeals are followed up and that these offending civil servants are brought before a disciplinary council.
This situation must change and this observed deficiency must no longer exist, civil servants must be able to answer for their actions and be sanctioned when, by contravening their obligations, they have significantly harmed an individual.
To continue, we will tell you that based on his past errors, Mr. MARGUERITE understood that he mastered the substance of his files presenting the unconstitutional nature of the Sunday (dominical) and vaccinal laws against covid 19, however, being neither a trained lawyer nor a lawyer, the form that the file should take is unknown to him.

This is how, in order to be efficient in this second round that is beginning, Mr. MARGUERITE was helped by a lawyer who is leading this case, the objective being that the Sunday laws as well as those against covid 19 can be recognized as unconstitutional and be repealed by the members of the Constitutional Council.
It is time for justice to be done to Mr. MARGUERITE because, although resilient and determined to continue his fight to the end, he is once again at such an extreme that he cannot decently provide for his most basic needs, and this is because the Sunday (dominical) laws prevent an employer from hiring him by allowing him to work every Sunday in compensation for the Saturdays when he cannot be there for reasons of faith.

Mr. MARGUERITE being determined to find work continues to apply, through France Travail, but the feedback is negative, always for the same reasons. Here is a rejection of an application that he recently received as part of his job search through France Travail (France Travail is a public administrative establishment responsible for employment in France), for a mixed hairdresser position: *“During our exchange on July 16, 2024, we took stock of your situation. As agreed, I am sending you the summary.* **You applied for Offer No. 175GMCK. The employer was won over by your experience in hairdressing.**
However, as a Sabbath observer, you do not work on Saturdays. This is a major constraint for the employer who had to decline your application. [...] *respectfully, Your advisor” [Extract taken from: France Travail. Pôle emploi Martinique du François. Courrier du 16 juillet 2024. N° TP6701HG ACAR FT67 P95/IL97273/ACAR]. (see production no. 37) (translated into English from the original text).*

So, things are not changing. Nevertheless, still resilient and determined to earn an income, no longer finding work as a hairdresser due to the mismatch between his faith and the need to be present on Saturdays, the key day in this sector of activity, Mr. MARGUERITE therefore opted for a complete reconversion in response to an offer in the fishmonger sector. These events occurred during an information meeting held on June 13, 2024, at the France Travail branch - ZA LAUGIER Rivière Salée Martinique - which aimed to present job offers in the fishmonger sector, under the reference "#TousMobilisés - Recrutement - Réu d'information POEC POISSONNERIE". (see production no. 37). We present the context and facts below:

> Registered with France Travail, this job offer was sent to Mr. MARGUERITE by text message on May 28, 2024. Having not yet been recruited in his sector of activity, he responded positively to participate in this aforementioned information meeting, especially since there was no prior experience required.
> Indeed, all trades were accepted and a 2-month training course provided by the CARREFOUR brand was to ultimately lead to a permanent contract for the selected applicants, with 13 positions to be filled, given the shortage of fishmongers in these stores. Mr. MARGUERITE was therefore very interested, on the one hand the training would allow him to acquire the skills necessary to practice this new profession, on the other hand, being already trained in sales, he knew that it was an additional asset and that he could be suitable and selected.
> Let's now come to the discrimination he suffered. In order to find out about the policy of the CARREFOUR brand, Mr. MARGUERITE, in front of the three France Travail agents and all the job seekers, asked the following question to the two recruiters from this brand who had come to lead this information meeting:
> **"I am a Sabbath-keeper, and therefore, to respect my faith, I do not work from Friday afternoon before sunset to Saturday evening at sunset, will this pose a problem for me to be able to join this training?".**
> The following response was given to him by the representative of the CARREFOUR group who was leading this information meeting: **"This is a large-scale distribution business, and therefore weekend work is mandatory, so it will not be possible."**
> At this response, Mr. MARGUERITE therefore took his leave from the meeting.

It should be noted that this response constitutes discrimination against Mr. MARGUERITE by this representative of the CARREFOUR company because it contravenes the right conferred on her by the following texts:

- *[Article 2, loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations],*
- *[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1 et 2],*
- *[Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, article 1 (Interdiction générale de la discrimination)],*
- *[(French) Articles 1, 6 et 11 de la Déclaration des Droits de l'Homme et du Citoyen de 1789],*
- *[(French) Préambule de la Constitution de 1946].*

This discrimination is all the more blatant because the CARREFOUR brand is not subject to Sunday laws, which require certain trades to be unemployed on Sundays.
In this regard, if Mr. MARGUERITE had been selected, he should have been able to benefit from flexible working hours. It is also important to note that the fact that he cannot be present at the company from late Friday afternoon to sunset on Saturday evening cannot be a handicap for a brand such as CARREFOUR, given the number of positions to be filled (thirteen).

Following these events, determined not to give in to the discrimination he was the victim of, Mr. MARGUERITE sent claims to CARREFOUR Martinique, the CARREFOUR group, and at the France Travail office where these events took place. (see production no. 37).
The purpose of these complaints was to find out the position of the CARREFOUR company and the France Travail branch in Rivière-Salée, in the face of this umpteenth discriminatory practice. On July 1, 2024, CARREFOUR Martinique, in return for the letter received, presented the fact that Mr. MARGUERITE did not stay until the end of the meeting as his decision not to participate in this training. (see production no. 37).
However, this brand does not take into account the following statements from its representative: **"This is a large-scale distribution business, and therefore weekend work is mandatory, so it will not be possible",** which was a clear refusal for Mr. MARGUERITE.

This is a typical example of the discrimination that Sabbath and Shabbat observers experience on a daily basis, and which prevents them from having the same chances of success as the rest of the French.

As a result, to date no improvement has been made to his situation and he is still under the yoke of Sunday laws that hinder him and close off any possibility of a future. This precarious situation is all the more difficult to accept given that Mr. MARGUERITE is recognized as one of the best in his specialty as a hairdresser-consultant in hair problems for black and mixed-race women – his books and seminars demonstrate his skills (see production no. 7).

Despite the recognition of his skills by his peers, Mr. MARGUERITE does not have the same chances of social integration as other hairdressers because of the laws prohibiting working on Sundays. As a result, to date no improvement has been made to his situation and he is still under the yoke of the Sunday (dominical) laws that hinder him and close off any possibility of a future.

By preventing him, as a Sabbath observer, from working on Sundays in a hairdressing salon as an employee, the French State is imposing discriminatory oppression on Mr. MARGUERITE. In doing so, by allowing the perpetuation of the Sunday laws that hinder him professionally, the French State has acted on the transgression of Mr. MARGUERITE's fundamental rights, as we demonstrate throughout this document in the section entitled **"Historical and legislative reality of the unconstitutional character of the Sunday laws".**
In doing so, by allowing the continuation of the Sunday laws which hinder Mr. MARGUERITE at the professional level, the French State has acted on the transgression of the following laws and treaties:

- *[(French) Article 2, loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations],*
- *[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1 et 2],*
- *[Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, articles 1 et 2 (Interdiction générale de la discrimination)],*
- *[(French) Article 11 Déclaration des Droits de l'Homme et du Citoyen de 1789].*

All of the above clearly reflects the type of loss of opportunity that the French State caused to Mr. MARGUERITE in accordance with the *"(French) article 1240 du code civil modifié par l'article 2 de l'ordonnance n°2016-131 du 10 février 2016 portant réforme du droit des contrats, du régime général et de la preuve des obligations"* and of the *"(French) arrêt du 18 mars 1975, la chambre criminelle de la Cour de cassation, n° de pourvoi 74-92118".*

Folder: the illegal nature of the vaccinal laws against covid 19.

“No one is more deaf and blind than he who has chosen not to hear and not to see in order to keep doing what he likes to do. Especially if he has the certainty of having right on his side, even if this cannot be proven, because it is based on lies. So be vigilant!” [Quote from Kenny R. MARGUERITE].

11 On the alleged internal illegality of the vaccinal laws against covid 19

To introduce this part, it is important to emphasize that my objective in this section is to highlight what has been done and what is currently being done in France in the context of compulsory vaccination. When we talk about this vaccine law, we must first of all present the legislative basis that supported it and still supports it.
It all started with the *[(French) LOI n° 2021-689 du 31 mai 2021 relative à la gestion de la sortie de crise sanitaire].* This law instituted the *"sanitary pass"* and other texts came to complete it. Among them, we find:

- *[(French) Décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire],*
- *[(French) Décret n° 2021-724 du 7 juin 2021 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire],*
- *[(French) Décret n° 2021-955 du 19 juillet 2021 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire],*
- *[(French) Loi n° 2021-1040 du 5 août 2021 relative à la gestion de la crise sanitaire],*
- *[(French) Décret n° 2021-1059 du 7 août 2021 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire],*
- *[(French) Décret n° 2021-1215 du 22 septembre 2021 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire],*
- *[(French) Décret n° 2021-1521 du 25 novembre 2021 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire].*

Then, the *[(French) Loi n° 2022-46 du 22 janvier 2022 renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique]* made it possible to transform the *"sanitary pass"* into a *"vaccinal pass".*
And finally, we must mention this other major text, the *[(French) Décret n° 2022-352 du 12 mars 2022 modifiant le décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire].*

After months of pandemic and constraints related to the vaccinal laws against covid 19, the light has finally appeared leading the legislators to stop their constraints on the French.
To do this, the *[(French) Décret n° 2023-368 du 13 mai 2023 relatif à la suspension de l'obligation de vaccination contre la covid-19 des professionnels et étudiants. JORF n°0112 du 14 mai 2023. Texte n° 13]*.

Thus the obligation to be vaccinated against covid 19, in order to be able to work in France, is now suspended. *However, this type of suspension, or rather of putting on hold, is comparable to that of a volcano which, from one day to the next without warning, can erupt again, surprising all those who have trusted its apparent calm.*

It is important to never lose sight of the fact that the *[(French) Article 5 de la Déclaration des Droits de l'Homme et du Citoyen de 1789],* establishes that without an active law, no restrictions are possible.
It is certain that the sword of Damocles that is the obligation to vaccinal against covid 19 remains over our heads, and this as long as the articles of laws and decrees that carry it are not definitively repealed.

Now that the scene is set in terms of laws and decrees relating to the management of the health crisis linked to COVID 19, let us now see why these laws have been able to find legislative sustainability.
Let us now continue by discussing the reasons that have allowed European countries such as France to institute protocols that include, among other things, the obligation to vaccinal for certain professions, without the European Union vetoing them.
To do so, let us read this: **"Vaccination obligation: a decision that falls within the competence of the States alone and may be subject to the in concreto assessment of the European Court of Human Rights.**
The decision to impose compulsory vaccination on the population is the sole responsibility of the States. Article 168, paragraph 7, of the Treaty on the Functioning of the European Union provides that the definition of health policies and the organization and delivery of health services and medical care are the responsibility of the Member States.
While the European Union has organized the public procurement procedure for the purchase of vaccines and has recommended that Member States give priority to vaccinating certain groups, it does not have the prerogatives enabling it to impose compulsory vaccination within the Member States and has never made any recommendations to that effect.
From Article 11 of the European Social Charter which provides that, with a view to ensuring the effective exercise of the right to the protection of health, States undertake to take appropriate measures aimed in particular at preventing epidemic diseases, ECHR concludes that States have a very wide margin of appreciation to guarantee the right to life and the protection of their population, which includes the possibility of deciding on compulsory vaccination of the population".
[Extract of: Commission des affaires européennes du Sénat. Actualités Européennes. N°67, 21 juillet 2021. Obligation vaccinale et pass sanitaire: position de l'Union Européenne et du Conseil de l'Europe (translated into English from the original text)].

In this text, we are presented with the reality of vaccination against covid 19. We see that the European Union has not taken a firm position on compulsory vaccination, leaving full latitude to European States so that they can decide on the measures to be implemented in this area. Thus, the European Union has not given any directive aimed at imposing vaccination against covid 19 on citizens of European States.
There would therefore be no interference from Europe at this level and each State can freely decide on the option chosen for its population.
This state of affairs has unfortunately created a legal vacuum that France has used and which has allowed it to set up the "sanitary pass", then the "vaccinal pass" in accordance, a priori, with the directives of the European Union. If we had to stick to these basics, the fight led by Mr. MARGUERITE, which is that of the millions of French people who demanded, during the sanitary crisis, the right not to be vaccinated, would be in vain, nevertheless we must go "beyond the crust to discover the reality of the bread crumb", which is what we will do. Now that these basics are laid, let's look at the backbone of the vaccinal laws against covid 19, which largely explains what we have observed, both at the legislative level and in terms of the support of certain French citizens.

To discover this reality, I invite you to read the following text: **"In order to limit the rapid spread of the delta variant on the territory, vaccination is the most effective weapon to prevent hospitalisations and deaths.**
It is in this context that the President of the Republic has announced the introduction of a vaccinal obligation for professionals in contact with vulnerable people. **A draft law has therefore been drawn up and the HAS has been asked to give its opinion on this text before it is examined by Parliament.**
The HAS considers that mandatory vaccination for professionals in contact with vulnerable persons is justified. […]

Today, the HAS considers that the vaccination obligation included in the bill, which concerns all professionals in contact with vulnerable people, is as much an ethical issue as a public health issue and that its implementation is justified in view of these issues. […] *The HAS considers that the extension of compulsory vaccination could be envisaged initially for vulnerable people if vaccinal coverage does not progress.*
In addition to professionals in contact with the most vulnerable and vulnerable people themselves, the obligation to the vaccination all professionals in contact with the public and beyond in the general population also deserves to be considered.
This extension would preserve health services and access to all goods and services by preventing the contamination of those responsible for keeping the country running. [...]" *[Covid-19: l'obligation vaccinale prévue par la loi est justifiée et son élargissement doit être débattu. Communiqué de presse – Mis en ligne le 16 juil. 2021. Taken from the website: https://www.has-sante.fr (translated into English from the original text)].*

It is important to emphasize that those who drafted this bill are none other than the members of the High Authority for Health, the supreme authority in terms of health for the French nation. Before continuing, it is important to specify that Mr. MARGUERITE's approach in this matter is not to contest the work of the High Authority for Health, because this institution is within its rights as scientific experts..

On another, more individual level, when our doctor forces us to follow a diet without sugar or salt in order to improve our health, we leave his office grimacing and we grimace even more when we eat, willingly or unwillingly, our food as bland as papier-mâché.
However, we stick to it. So, to return to our subject, this bill emanating from eminent scientists was the "backbone" to which politicians and the French who chose to adhere to the vaccination against covid-19 clung during the covid-19 pandemic, to explain that it does not suffer any dispute because, as novices that we are, we can only comply with the advice of medical experts.
When the latter, who know what they are talking about, state that vaccination **"is the most effective weapon for preventing hospitalisations and deaths",** that **"compulsory vaccination for professionals in contact with vulnerable people is justified",** and propose extending vaccination in order to prevent contamination and preserve health services, these seem to be tangible, scientific facts that we can only endorse.

And to top it all off, the High Authority for Health presents the extension of vaccination and compulsory vaccinal (against covid 19) for professions that are in contact with people at risk as having an importance that transcends public health because it is also an **"ethical issue".** How then to oppose such arguments?
Nevertheless, despite these arguments which seem irrefutable, it is important not to lose sight of the fact that the problem which is attached to this vaccinal law against covid 19, is of a legislative and not scientific nature, it is this aspect that Mr. MARGUERITE wants to highlight here. This concrete example which follows reflects this reality:

> Let us consider a doctor, who is following a patient in the terminal stage and who, in accordance with *[(French) Article R4127-37-2 du Code de la santé publique],* makes a request that the decision to stop treatment for this patient be taken collegially. However, this doctor is faced with a refusal from his peers.
> Therefore, despite everything, out of compassion and humanity, he gives in to his patient's request and decides to help him end his life. Here, at the medical level, we have a person who is already in agony and who asks for his suffering to be shortened by the practice of euthanasia and a doctor who will help him by acting, in his soul and conscience.
> However, we are here faced with an act, which although it may be considered by some as noble, contravenes French law which prohibits in *[(French) Article 16 du Code civil],* harming the person in any form whatsoever.

> Here, exceeding one's prerogatives exposes one to being struck by *[(French) Article 221-3 du Code pénal],* which in such a case, recognizes that the doctor committed murder, with premeditation, which exposes him to life imprisonment.

Thus, one cannot *"listen to one's heart"* and act without a legal basis. It can even be said that, even if the planned action meets the requirements of public health, it cannot be validated outside the legal framework. Not long ago, we experienced a similar episode in connection with the vaccine laws.
To find out about it, I invite you to read this: *"[…] According to these provisions,* **the Prime Minister may make the presentation of proof of vaccination status concerning covid-19 subject to the access of persons aged at least sixteen to certain places, establishments, services or events where leisure activities and catering activities or drinking establishments are exercised as well as at trade fairs, seminars and trade shows, interregional public transport for long-distance travel and certain department stores and shopping centres. […]**
The applicant deputies also challenged the provisions of Article 1 of the law referred, allowing access to a political meeting to be subject to the presentation of a "sanitary pass".
[…] To examine these provisions, the Constitutional Council recalls that, under the terms of Article 11 of the Declaration of 1789: "The free communication of thoughts and opinions is one of the most precious human rights:
Every citizen can therefore speak, write, print freely, except to answer for the abuse of this freedom in the cases determined by law." […] *It is up to the legislator to ensure the reconciliation between this objective of constitutional value and respect for the constitutionally guaranteed rights and freedoms.*
Among these rights and freedoms are the right to respect for private life guaranteed by article 2 of the Declaration of 1789, as well as the right to collective expression of ideas and opinions resulting from article 11 of this declaration.
By this yardstick, the Constitutional Council considers that, by adopting the contested provisions, the legislator intended to make access to meetings that present an increased risk of spreading the epidemic due to the occasional meeting of a large number of people likely to come from distant places, subject to the presentation of a "sanitary pass". It thus pursued the constitutional objective of health protection.
The Constitutional Council notes that, however, unlike the provisions which specify the conditions under which the Prime Minister may make access to certain places subject to the presentation of health documents, the contested provisions did not require the enactment of such measures by the organizer of the political meeting neither on the condition that they are taken in the interest of public health and for the sole purpose of combating the covid-19 epidemic, nor on the condition that the health situation justifies them with regard to viral circulation or its consequences on the health system, or even that these measures are strictly proportionate to the health risks incurred and appropriate to the circumstances of time and place.
He deduced that, under these conditions, the contested provisions do not achieve a balanced reconciliation between the aforementioned constitutional requirements. It declares them contrary to the Constitution. [...]" *[Loi renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique. Décision n° 2022-835 DC du 21 janvier 2022 – Communiqué de presse (translated into English from the original text)].*

Here we discover that, within the framework of the "vaccinal pass", it was decreed that French citizens could access political meetings without being vaccinated, because no "sanitary or vaccinal pass" could be requested in this context, regardless of the number of people who had to meet and even if we were in a period where the covid 19 pandemic was raging. Why such a thing?
It is simply because of a small oversight by the government of Mr. MACRON's first five-year term, more precisely by the Prime Minister!

He forgot to include political meetings in the list of places where “sanitary pass” or “vaccinal pass” are mandatory. In doing so, as without a law no restriction is possible, the immediate repercussion is that as long as the law on the “vaccinal pass” remained active, political meetings were not expressly mentioned in the vaccinal laws against covid 19, they were still managed by *[(French) Articles 2 et 11 de la Déclaration de 1789],* these presenting the right of every French person to be free to present their opinions, and to be able to meet freely within a political association.
Thus, the basic law (the first to have been enacted and which established the restrictions that are possible in the context of the coronavirus pandemic) did not specify that access to political meetings should be subject to either a “sanitary pass” or a “vaccination pass”, this type of event cannot therefore be subject to vaccinal laws against covid 19.

> Upon reading the decision of the Constitutional Council (French) and the explanatory statement, Mr. MARGUERITE was very surprised, it is beyond his understanding. Indeed, how could he not be, when all the speeches, all the actions implemented seem to have one essential objective, that of preserving health, of saving lives!
> Here, this is not the case, it is the legislative that prevails to the detriment of health. The absence of a legal legislative basis prevails over an article of law which nevertheless had the aim of limiting the spread of the pandemic. *Curious!*

Thus, on the one hand, the Constitutional Council recognizes the danger of such gatherings and **“the objective of constitutional value of health protection”** referred to, in such a context, by the “sanitary pass”. However, on the other hand, as we have seen, it could not be imposed that a “sanitary pass” be required at the entrance to political meetings since no law had provided for it; doing so would therefore be unconstitutional, because it contravenes *[(French) Articles 2 et 11 de la Déclaration de 1789].*
Freedom cannot be infringed, in the case of a political meeting, on the other hand, in the case of the rest of the French who remained under the yoke of the vaccinal laws against covid 19 which prevented them from moving and working, the thing is not considered unconstitutional since it is provided for by law. Thus, what is presented here is for Mr. MARGUERITE capital because the reality found in these lines allowed one of the paragraphs of the law establishing the “vaccinal pass” to be rejected.
To discover this reality we must first return to the reasons which led the Constitutional Council to reject the amendment intended to allow access to political meetings to be regulated by a “sanitary pass”

> Here we are presented with a legislative mathematical equation. For a law that covers two articles of the French Constitution to see the light of day, there must be a perfect balance between them, to use the terms used, **“a balanced reconciliation between the aforementioned constitutional requirements”.**
> In the context of the paragraph in question, this balance not having been found, it was rejected because it was deemed **“contrary to the Constitution”.**

This constitutes, in the sense of Mr. MARGUERITE, a legal precedent with regard to French and international vaccination laws against vovid 19.
To continue, we will tell you that it is important to note that the Constitutional Council recognized that the paragraph of the “vaccination pass” which tended to allow entry to political meetings to be subject to a “sanitary pass”, was in accordance with what the Constitution has established.

This reality is evident in the fact that the Constitutional Council has recognised that the “sanitary pass” pursued **“the objective of constitutional value of health protection”, especially since “access to meetings that present an increased risk of spreading the epidemic due to the occasional meeting of a large number of people likely to come from distant places”,** yet this paragraph of the law intended to manage entry to political meetings **has been recognised as “contrary to the Constitution”.**

The bottom line is that, since this part of the bill is not supported by a valid law, it has been declared unconstitutional. In doing so, as without a valid law, no restriction is possible, so even if the pandemic were raging, no one can hinder the freedoms that the French constitution confers on the French. Thus, pandemic or not, if the laws requiring vaccination against covid 19 are not supported by a valid legislative basis, they are null and void, because they contravene the Constitution (French).

Now that these bases are laid, let's get to the heart of the matter. To do this, our objective is to demonstrate that the vaccinal laws against covid 19 which carry the “sanitary and vaccinal pass” which have been established in France are without legislative basis.
Which, legally, means that these laws must be recognized as contravening the French constitution and be repealed in the same way as the aforementioned paragraph which was rejected by the Constitutional Council (French) because it tended to subordinate the entry of political meetings to a “sanitary pass”.
To demonstrate this, we will now support our statements by providing indisputable legislative evidence.

To begin with, it is important to take into account the reality presented in the following text of the French constitution: **“Art. 4. Freedom consists in being able to do all that does not harm others***: Thus, the exercise of the natural rights of each man has no bounds (limits) other than those which assure the other Members of the Society the enjoyment of these same rights.*
These bounds (limits) can only be determined by law”. *[Articles 4 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

Here we find one of the foundations on which all French legislation is based.
Thus, without a valid law, there can be no constraint that can be imposed on French citizens, to do so would be to contravene the constitution (French).
Considering these elements, it appears that the vaccinal laws intended to combat the pandemic due to the coronavirus having, we understand, as a basis the marketing of anti-covid 19 vaccines, are obliged to take into account the legislative modalities set by France for the marketing of a drug.

Which means that if articles of the vaccinal laws against covid 19 established in France and which are among others, the “sanitary and vaccinal pass” contravene the modalities of marketing of vaccines against covid 19, they become unconstitutional, because unfounded.
These elements established, we will present to you the bases outside the law, on which the vaccinal laws against covid 19 were instituted.
To do this, let's take into account the following text, which presents the bases established so that a medicine can be marketed in France: *“By way of derogation from 2° of article R. 5121-25, for the medicinal products mentioned in this article,* **the dossier attached to the application for marketing authorization is constituted under the following conditions: […]**
3° For applications for extensions as defined in 4° of Article 2 of Commission Regulation (EC) No 1234/2008 of 28 November 2008 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use *and veterinary medicinal products, the dossier provided in support of the application shall include, in addition to chemical, pharmaceutical and biological data,* **the results of preclinical and clinical trials** *relating to changes or additions made to the previously authorised product.” [Article R5121-26 du Code de la santé publique Français (translated into English from the original text)].*

Let's complete our study with this: *“To the application provided for in article R. 5121-21 is attached a file containing the following information and documents, updated as necessary, presented in accordance with the order mentioned in article R. 5121-11: […]*

3° bis The risk management plan describing the risk management system, the model for which is set by the European Commission, to be put in place by the future holder of the authorization or the company exploiting the proprietary medicinal product for the medicinal product concerned, accompanied by its summary; […]
7° A statement from the applicant attesting that the clinical trials conducted outside the European Union or the European Economic Area meet ethical requirements equivalent to those of Directive 2001/20/EC of April 4, 2001; […]". *[Article R5121-25 du Code de la santé publique français (translated into English from the original text)].*

Let us end with this last text: **"[...] The marketing authorization holder shall ensure that the information on the medicinal product or product is updated** *on the basis of current scientific knowledge, including the conclusions of evaluations and recommendations* **made public through the European medicines web-portal, established by Article 26 of Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004.**
The holder shall inform the Director General of the Agency and the European Medicines Agency when new risks, changes in existing risks or changes in the benefit/risk ratio of the medicinal product or product are identified. [...]". *[Article R5121-37-1 du Code de la santé publique français, Modifié par Décret n°2018-1126 du 11 décembre 2018 - art. 3 (translated into English from the original text)].*

With all these texts, we discover that the marketing of a drug in France requires a request for marketing authorization that must comply with strict instructions.
One of the obligations is to be in compliance with the European rule (EC) that manages the "marketing of medicinal products for human use" by providing in particular the results of the "preclinical and clinical trials" that have already been conducted on this drug.

> It should be noted that the marketing of a drug in France is largely subject to the European modalities established in this area.

As a result, the marketing of vaccines against corona virus is no exception to this rule. Let's take a concrete example by reading this: *"The Minister of Solidarity and Health,* **Having regard to Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices;**
Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services, and in particular Notification No. 2021/320/F; […]
Considering the opinion of the High Council of Public Health concerning the management of the body of a deceased person infected with SARS-CoV-2 dated November 30, 2020 [...]. Considering that vaccination is an essential axis in the fight against the covid-19 epidemic; That the organization of the vaccination campaign, the deployment of which should be facilitated, must take into account the vaccine delivery schedules and the need to adapt the offer according to the public; […]
That it is also necessary to establish the list and specify the training methods required for health professionals, health students and other professionals likely to intervene with a view to prescribing and/or injecting vaccines as well as modalities according to which they can carry out these acts [...]". *[Arrêté du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire. NOR : SSAZ2116944A. JORF n°0126 du 2 juin 2021 Texte n° 33 (translated into English from the original text)].*

We discover here that the implementation of this law intended, in particular, to accredit those who will have to inject others with vaccines against covid 19, is subordinate, among other things, to the taking into account of various legislative texts of the European parliament.

This reality of the European legislative texts, which have come to take place in French legislation, finds its raison d'être, among others, in the following text: **"The origin of Community harmonization in the field of medicinal products goes back to Directive 65/65/EC of 26 January 1965. Until recently, two main texts constituted the legislative framework for medicinal products:**
Directive 2001/83/EC on the Community code for medicinal products for human use, which brought together the provisions of the previous directives on the one hand, and Regulation 2309/93 laying down Community procedures and establishing the European Medicines Agency on the other. At the initiative of the Commission, within the framework of the co-decision procedure, two major texts introducing numerous changes were drawn up between the end of 2001 and the beginning of 2004, then published in the Official Journal of the European Union on 30 April 2004:
– Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use;
– Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency." *[Un cadre juridique Européen renforcé : La directive A 2004/24/CE et le règlement N° 726/2004 du 31 MARS 2004. Taken from the website: https://www.senat.fr (translated into English from the original text)].*

We discover here that there is a community harmonization of the rules managing medicines within the European Union. In order for there to be unity in this area within all the Member States of the European Union, a single and community legislative framework has been established to manage medicines.
Thus, we understand that, to deal with the validity of the anti-covid 19 vaccine laws, which are directly linked to the marketing of vaccines against this virus, we cannot only take into account the French legislative texts, without also considering the European texts. In doing so, without these European laws which are notified in these French laws that we have just seen, these texts are incomplete and therefore contravene the French constitution.
Now that these bases have been laid down, let us turn to another problem of the marketing of medicines in France, that of the method of obtaining their marketing authorisation. The following text provides information: **"To be marketed, a drug must obtain a marketing authorization (MA) issued either by the Director General of the National Agency for the Safety of Medicines and Health Products (ANSM) or by the European Commission** *after evaluation by the Committee for Medicinal Products for Human Use (CHMP) of the European Medicines Evaluation Agency (EMA).*
To obtain this MA, the pharmaceutical company that manufactures it must compile an MA file containing in particular all the scientific results obtained during the development of the drug and the clinical studies. An MA can only be issued when this MA dossier provides proof of the quality, safety and efficacy of the drug, with a favorable benefit/risk ratio." [Comment un médicament est-il mis sur le marché ? Taken from the website: https://solidarites-sante.gouv.fr (translated into English from the original text)].

Without a marketing authorization (MA), a drug cannot be marketed in France. Now let's discover the rules that determine the viability of a drug before it is marketed in France. To do so, let's read this: **"By way of derogation from 2° of Article R. 5121-25, for the medicinal products mentioned in this article, the file attached to the application for marketing authorization is constituted under the following conditions:**
1° Where the applicant demonstrates, by reference to appropriate bibliographical documentation, that the application concerns a speciality whose active substance or substances have been in well-established medical use for at least ten years in France, *in the European Community or in the European Economic* **Area and have recognised efficacy and an acceptable level of safety […]**

2° When the application concerns a new speciality containing active substances that are part of the composition of authorised medicinal products, but which have not yet been combined for therapeutic purposes, the file provided in support of the application shall include the results of pre-clinical and clinical trials relating to the combination of these substances [...]".
[Article R5121-26 du Code de la santé publique Français, Modifié par Décret n°2015-709 du 22 juin 2015 - art. 1 (translated into English from the original text)].

Let's complete with this other text: **"When a new indication is authorized by the National Agency for the Safety of Medicines and Health Products, on the basis of preclinical and clinical studies considered to be significant during the scientific evaluation conducted with a view to this authorization, for a medicinal product whose active substance has been in well-established medical use for at least ten years in France,** *the European Community or the European Economic Area,* **an application for authorization of the same indication for another medicinal product may not refer to these studies for a period of one year.**
In this case, the Director General of the Agency shall inform the marketing authorization holder that the data from these studies are protected for one year and shall make this information public". *[Article R5121-41-5-1 du Code de la santé publique Français, Modifié par Décret n°2012-597 du 27 avril 2012 – art. 5 (translated into English from the original text)].*

As we can see, **in France a minimum period of 10 years** has been established so that a drug can be declared "of well-established medical use".
Before this ten-year period, it is possible for a new drug to be marketed, but to do so a specific application must be put in place and take into account, among other things, "the results of preclinical and clinical trials" carried out upstream on this substance.
Thus, the new drug or the one that has already been marketed for ten years but has undergone some modifications, benefits from a marketing authorization and a one-year period of protection for the data collected during studies. In what French legislation presents on drugs, a very important element caught our attention:

> Even after a decade a drug cannot be presented as completely reliable, but it is declared as **"[…] have recognised efficacy and an acceptable level of safety [...]".**

Which obviously implies that before ten years, a medicine cannot be presented as having **"recognized efficacy and an acceptable level of safety".**
The European procedures for placing vaccines against covid 19 on the market are in the same framework as what we have just seen. In the context of vaccines against coronavirus, the text *[Questions-réponses : le coronavirus et la stratégie de l'UE concernant les vaccins. Partie : Procédure d'autorisation R. Taken from the website: https://ec.europa.eu]* presents us with what was the situation in reality:
"How can a COVID-19 vaccine be developed and authorised within a 12-18 months timeframe when the normal process takes around 10 years? […] Finding a safe and effective vaccine will be a key element of the exit strategy from the pandemic.
Europe and the world need to act swiftly and teams around the world are working with the ambition of delivering a successful vaccine within a timeframe of 12-18 months. […] *It is indeed true that vaccine development can take time […]* **The often-quoted 10 year timeframe refers to the time from concept to authorisation, including gathering the necessary evidence through clinical trials.**
Reducing this timeline to 12-18 months means both accelerating development and manufacturing timelines as well as the marketing authorisation. […] Clinical trials for COVID-19 vaccines are being carried out more quickly than usual *because the effort being put into their organisation and conduct has been significantly increased by the sponsors, researchers and regulators.*

[…] In principle, large-scale Phase 3 efficacy trials involving thousands of participants are required to support the marketing authorisation of a COVID-19 vaccine. These trials should be designed to measure the vaccine's efficacy in protecting against COVID-19 (efficacy endpoints) and its safety.
This is because there are no known indicators (such as the levels of antibodies in the blood) that can predict protection and could be used instead of efficacy endpoints. In addition, we are currently in a situation where the virus is circulating, which makes it feasible to establish the efficacy of a vaccine in large-scale clinical trials. The protocols of such clinical trials, *including any plans for interim analyses, are subject to regulatory approval.*
What does the scientific assessment by the European Medicines Agency consist of? What is the process of approval? To obtain a marketing approval for a vaccine in the EU, a vaccine developer needs to submit the results of all testing/investigations *to the medicines regulatory authorities in Europe as part of a 'marketing authorisation' application. […]* **For COVID-19, EMA has put in place rapid review procedures to deliver assessments of applications quickly while ensuring robust scientific opinions. Key to this shortening of timescales are 'rolling reviews'.**
In a public health emergency, EMA assesses data for promising medicines or vaccines as they become available. Through these rolling reviews, EMA can therefore start evaluating data while the development is still ongoing.
[…] However, if comprehensive data would not be available at the time of the marketing authorisation application, the EU regulatory system is designed to potentially accommodate this situation by providing for a conditional authorisation system. This means that the initial ("conditional") authorisation granted by the Commission is based on less comprehensive data than would normally be the case (nonetheless with a positive benefit-risk balance), and with obligations on the marketing authorisation holders for the data to be completed afterwards and to be submitted for assessment.
Conditional marketing authorisations are closely monitored and are subject to annual review. The European Commission takes a decision on whether or not to issue the marketing authorisation on the basis of the recommendation from the EMA. […] In addition, after authorisation, EU law requires that the safety of the vaccine – as is the requirement all medicinal products – will be monitored while in use. In addition to safety, the vaccine's effectiveness should also be monitored. As part of such monitoring, studies are carried out after marketing. […]
The EU has a comprehensive safety monitoring (pharmacovigilance) system that allows measures to be put in place to minimise risk, to ensure reporting of suspected side effects, to detect any potential adverse effects, and introduce any necessary mitigating actions early.
Specifically for COVID-19 vaccines, EMA in close collaboration with the Commission, Member States, European and international partners, is establishing enhanced safety monitoring activities.
These activities are aimed at making sure that any new information collected post-marketing will be identified and evaluated as quickly as possible, and appropriate regulatory actions are taken in a timely manner to protect patients and safeguard public health. […]" *(translated into English from the original text).*

This text is clear, the coronavirus vaccines, which are distributed worldwide, are products that were still in the experimental phase during the pandemic.
This reality is clearly evident in this text, which informs us about the research time generally observed for a vaccine, which is **10 years.** This is in order to be sure of its action and its contraindications, but here, due to the sanitary crisis, the duration of the protocol has been reduced to between **12 months and 18 months.**

So, a very compressed duration!

This text also tells us that, due to the lack of sufficient data, it was not possible to quantify the impact of vaccines against Covid-19, and the European Union had to deviate from its rule relating to the **"normal"** obtaining of the right to market a medicine, which is what allowed it to grant the various vaccines **"conditional"** authorization.
In addition, what allows the European Union to judge the effectiveness of anti-Covid-19 vaccines are the **"positive benefit/risk ratios"** that they present.

> Here too, there was not enough perspective and scientific data during this global pandemic to establish, in all objectivity, protocols to combat it. With these bases, a vaccine manufacturer could, during the sanitary crisis, put a vaccine on the market, whose contraindications or negative consequences were not fully known, as long as it subsequently committed to supplementing the data concerning its product.

We also learn that those who receive this **"conditional"** authorization to market these vaccines against covid 19, in the research phase, have a set time to demonstrate that their products are viable, otherwise they will be withdrawn from the market.
At the end, according to what is said, the conditional marketing authorizations for vaccines against covid 19 are re-examined by the European Union in order to decide on the renewal of the authorization.

> Thus, it is after injection of the vaccines that information is collected to assess their dangerousness and from then on this data will be used to improve the new vaccines against covid 19. What is presented here is fraught with consequences, because if one of these vaccines is harmful to humans, it will have poisoned thousands, if not millions of individuals during a year but of course, to justify it, we will mention **"the benefit/risk ratio and statistics will be used to justify it".**
>
> What has just been presented, as you know, is what is called **"clinical trial of a drug on human beings".** Yes, that's right, because we are injecting individuals with a molecule that has not yet been sufficiently tested to obtain from the European Union a **"normal"** right to use it on human beings.
>
> This fact is well corroborated by this **"conditional"** authorization that was given during the health crisis for covid 19 vaccines.

In addition, in this text we are presented with a new framework for clinical trials, that of the so-called **"clinical trials in large scale",** instituted because of the unprecedented nature of covid 19 and the lack of information available during the pandemic.
We will see what this new type of medical research implies, which can also be described as unprecedented, and how it differs from **"traditional clinical trials"** by freeing itself from the basic rules established by the "Declaration of Helsinki" and therefore making all national laws on compulsory vaccination against covid 19 illegal.
To continue, we will tell you that it is important not to lose sight of the fact that throughout the pandemic and during the period of compulsory vaccination against covid 19, vaccines against the corona virus had a **"conditional"** market authorization because they were still in the experimental phase. The text of the *[Agence européenne des médicaments. Régulation humaine. Post : Vaccins COVID-19 : autorisés. Taken from the website: https://www.ema.europa.eu]* establishes this reality in the following:

- **"The following vaccines can be used in the EU to prevent COVID-19:**
- *Vaccine: Comirnaty (developed by* **BioNTech and Pfizer).** *Conditional marketing authorisation issued:* **21/12/2020.**
- *Vaccine: COVID-19 Vaccine* **Janssen.** *Conditional marketing authorisation issued:* **11/03/2021.**
- *Vaccine:* **Nuvaxovid.** *Conditional marketing authorisation issued:* **20/12/2021.**
- *Vaccine: Spikevax (previously COVID-19 Vaccine* **Moderna).** *Conditional marketing authorisation issued:* **06/01/2021.**
- *Vaccine: Spikevax (previously COVID-19 Vaccine* **Moderna)**. *Conditional marketing authorisation issued:* **29/01/2021.** *(translated into English from the original text).*

MA: *conditional marketing authorisation.* ** **"Nuvaxovid"** in the press is *"Novavax".*

Let's remember that: **"The approval of a medicine that addresses unmet medical needs of patients on the basis of less comprehensive data than normally required.** *The available data must indicate that the medicine's benefits outweigh its risks* **and the applicant should be in a position to provide the comprehensive clinical data in the future. [...]".** *[Agence européenne des médicaments. AMM conditionnelle. Taken from the website: https://www.ema.europa.eu] (translated into English from the original text).*

These **"conditional"** marketing dates show us again, if need be, that during the entire duration of the mandatory vaccination against covid 19 in France, the vaccines established in this context were still in the experimental phase.
Thus, as we have seen, the protocol for the **"conditional"** marketing of anti-covid 19 vaccines lasts at least one year, with a review carried out at the end of this period with a view to renewing or not this authorization. Thus, we easily understand, this pandemic being unprecedented, no country in the world had the necessary hindsight to eradicate it and they were all subjected to the same standard:

> **"Marketing vaccines, at the experimental stage, in the name of the "famous" benefit/risk ratio, the benefits being judged, at the stage of the data available during the pandemic, to be greater than the risks".**
> So, whatever the name given to this type of protocol for marketing vaccines against the coronavirus, during the pandemic, we were indeed within the framework of a **"large-scale** *clinical trial"* which obeyed the same rule, that of collecting data to develop scientific knowledge, as the vaccines were injected into **a "mass guinea pig, not necessarily voluntary" population.**

Thus, during the entire period when the vaccinal laws against covid 19 were in force, we were still within the framework of emergency use, therefore "clinical trials" since these vaccines did not yet benefit from a **"normal"** marketing.
This was the case for all the vaccines used during the pandemic. We have highlighted many realities including that which is attached to **"large-scale** *clinical trials".*
Now that these foundations are laid, we will reinforce what we have just seen, by taking another angle of attack.

To do so, let us read this: *"[...] September 12, 2020 – Pfizer and BioNtech obtain approval from regulatory authorities to expand the clinical study, which may include up to 44,000 participants (including children aged 12 and over). [...]*
The study will allow to continue to collect efficacy and safety data from participants for an additional two years. July 27, 2020 – Pfizer and partner BioNTech announce the selection of a vaccine candidate chosen from the 4 messenger RNA (mRNA) vaccine candidates in the BNT162 program.
This vaccine candidate (BNT162b2) planned to be used for the phase 2/3 clinical trial was selected on the basis of the data available in the preclinical and clinical studies. […]" *[Pfizer. Les dates clés, depuis le début du partenariat à la mise à disposition du vaccin en Europe. Taken from the website: https://www.pfizer.fr/lutte-contre-la-covid-19-point-avancees-vaccin-pfizer-biontech-juin-2021#:~:text=L'%C3%A9tude%20permettra%20de%20continuer,(ARNm)%20du%20programme%20BNT162, (translated into English from the original text)].*

Let's complete with this other text: **"[...] The Phase 3 clinical trial of BNT162b2 began on July 27 and has enrolled 43,661 participants to date, 41,135 of whom have received a second dose of the vaccine candidate as of November 13, 2020.**
Approximately 42% of global participants and 30% of U.S. participants have racially and ethnically diverse backgrounds, and 41% of global and 45% of U.S. participants are 56-85 years of age.

[…] The trial will continue to collect efficacy and safety data in participants for an additional two years. […] This release contains forward-looking information about Pfizer's efforts to combat COVID-19 […] Including qualitative assessments of available data, potential benefits, expectations for clinical trials, anticipated timing of regulatory submissions and anticipated manufacturing, distribution and supply […]
Commencement and/or completion dates for clinical trials, regulatory submission dates, regulatory approval dates and/or launch dates, as well as risks associated with clinical data **(including the Phase 3 data that is the subject of this release), including the possibility of unfavorable new preclinical or clinical trial data and further analyses of existing preclinical or clinical trial data;**
The ability to produce comparable clinical or other results, including the rate of vaccine effectiveness and safety and tolerability profile observed to date, **in additional analyses of the Phase 3 trial or in larger, more diverse populations upon commercialization; […]"** *[Pfizer. Post : Pfizer et BioNTech concluent l'étude de phase 3 du candidat-vaccin COVID-19, répondant à tous les principaux critères d'efficacité. Taken from the website: https://www.pfizer.com/news/press-release/press-release-detail/pfizer-and-biontech-conclude-phase-3-study-covid-19-vaccine translated into English from the original text)].*

You will notice that the information reported here is taken from the very source of the companies marketing a vaccine against the coronavirus, **Pfizer and BioNTech.**
This is an example to support our argument but we could just as well have chosen another approved vaccine against covid 19 and the conclusion would be the same.
These two texts allow us to collect very interesting information on clinical trials. Thus, we are told, among other things, that the "clinical trials" of phases **2 and 3** of the vaccine against covid 19 developed by Pfizer and its partner BioNTech began on July 27, 2020.

In addition, important information, from **November 13, 2020,** as part of **the phase 3 "clinical trial",** data on the efficacy and safety of the vaccines were collected over two years from the participants. Thus, the end of this "clinical trial" was scheduled for **November 12, 2022.**
In doing so, as in mainland France, the vaccinal obligation against covid 19 remained until **March 14, 2022** on the national territory and until **April 9, 2022,** in the Antilles, particularly in Martinique, we understand that during the entire time when these vaccinal laws against covid 19 were in force, they were supported by vaccines in the experimental phase.
In addition, it is specified that during this period, in parallel with these "clinical trials", additional studies were conducted to test, in particular the efficacy, harmlessness and tolerability of these vaccines.

They were therefore similar to **"additional analyzes of the phase 3 trial" but they were carried out "in larger and more diversified populations during marketing".**
This further confirms, if need be, that although the "clinical trials", according to the usual methodology, were conducted on groups of volunteer candidates, registered in a protocol, another type of "clinical trial" was carried out in parallel.
Indeed, the fact of administering the coronavirus vaccines, during this same period, to the populations of various countries to collect data on their action, therefore sets the framework for the **"large-scale clinical trials"** defined above.

Let us recall again that a drug that is placed on the market with a conditional MA (Marketing Authorization) is a product on which we do not yet have all the data and on which research continues to be carried out, but nevertheless here, concerning these vaccines against covid 19, they were marketed because of the "galloping" nature of the pandemic.
This is the framework in which the obligation to vaccinal against covid 19 was found, throughout the period in which it was active. What we have just presented is certainly obvious, and we are not telling you anything new here.

However, we wanted to clarify this before coming to the reality attached to the marketing of anti-covid 19 vaccines which contravenes the French constitution and European law and which was not, in our opinion, considered by legislators before establishing the resulting covid 19 vaccinal laws.

And yet, it is thanks to this element that no one can be vaccinated against his will.

To tell you about it, we will tell you that the legal vacuum that gave France complete latitude to manage the sanitary crisis has a flaw, the latter is based on the procedure for placing anti-covid 19 vaccines on the market at the global level and it concerns the basis on which it is established and the legal reality that surrounds it.
We will now demonstrate to you that the French vaccinal laws against covid 19 have no reason to exist because they do not respect the standards for placing vaccines on the market that have been established by the European Union.
First of all, we must take into account the foundations on which European laws are established in matters of medical research on human beings.
These are the same ones that govern vaccines against the corona virus. To do this, we invite you to read the text *[Conseil de l'Europe, Comité des Ministres Recommandation N° R (90) 3, du Comité des Ministres aux États Membres sur la recherche Médicale sur l'être Humain 1 (adoptée par le Comité des Ministres le 6 février 1990, lors de la 433e réunion des Délégués des Ministres)]* which establishes the following:
"At the 433rd meeting of the Ministers' Deputies, the Committee of Ministers, under Article 15.b of the Statute of the Council of Europe, **Considering that the aim of the Council of Europe is to achieve greater unity among its members, in particular through the adoption of minimum common rules on questions of common interest;**
Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms and in particular Articles 2.1, 3 and 8 thereof; [...] and to the Declaration of Helsinki, adopted by the 18th World Medical Assembly in 1964 and subsequently amended at the 29th in Tokyo (1975), the 35th in Venice (1983) and the 41st in Hong Kong (1989), *intended to guide physicians in biomedical research involving human beings [...]*" *(translated into English from the original text)*

What we wish to highlight and which is displayed in this text is Europe's desire **"to achieve greater unity among its members"** for **"the adoption of minimum common rules on issues of common interest for medical research".** Thus these principles relating to medical research on human beings apply to all European States, including France.

Now that these points have been introduced, let's discover the text *[Conseil de l'Europe, Comité des Ministres Recommandation N° R (90) 3, du Comité des Ministres aux États Membres sur la recherche Médicale sur l'être Humain 1 (adoptée par le Comité des Ministres le 6 février 1990, lors de la 433e réunion des Délégués des Ministres)]* of which here is an extract: **"Being aware of the fact that the advancement of medical science and practice is dependent on knowledge and discovery which necessitate, as a last resort, experimentation on human beings;**
Being convinced that medical research should never be carried out contrary to human dignity; […] Considering that every person has a right to accept or to refuse to undergo medical research and that no one should be forced to undergo it;
Considering that medical research on human beings should take into account ethical principles, and should also be subject to legal provisions;
Realising that in member states existing legal provisions are either divergent or insufficient in this field;
[…] Principles concerning medical research on human beings Scope and definition: For the purpose of application of these principles, medical research means any trial and experimentation carried out on human beings, the purpose of which or one of the purposes of which is to increase medical knowledge. […]

In medical research the interests and well-being of the person undergoing medical research must always prevail over the interests of science and society. […] No medical research may be carried out without the informed, free, express and specific consent of the person undergoing it.
Such consent may be freely withdrawn at any phase of the research and the person undergoing the research should be informed, before being included in it, of his right to withdraw his consent. […] Potential subjects of medical research should not be offered any inducement which compromises free consent.
[…] Any medical research which is: - unplanned, or
- contrary to any of the preceding principles, or
- in any other way contrary to ethics or law, or
- not in accordance with scientific methods in its design and cannot answer the questions posed should be prohibited or, if it has already begun, stopped or revised, even if it poses no risk to the person(s) undergoing the research. […]". (translated into English from the original text).

Reading these lines, it appears that it is a **"big stone which is thrown into the pond of the obligation to vaccinate against covid 19".** This text, which is a vintage of the Council of Europe, provides us with information proving the illegal and arbitrary side of the obligation to vaccinal against covid 19. Nevertheless, what is said here would have no reason to exist if we did not juxtapose to this the juridical character of the vaccines against the coronavirus which were still at the research stage, throughout the pandemic.

It is therefore these vaccines at the experimental stage which nevertheless carried the vaccinal laws against covid 19, by which the obligation to be vaccinated was instituted in France, under penalty of not being able to exercise one's professional activity.
Indeed, if all the scientific data had already been collected for these vaccines against covid 19, that the protocols were no longer subject to the mention of **"conditional"** marketing and that the status of **"normal"** marketing had been given to them, all this argument would be in vain. But, this is not the case, in doing so the content of this text is the sine qua non basis established and which must serve as legislative support applicable in Europe and therefore in France.

> Thus we learn that we have the right to refuse to submit to drug research and that **NO ONE** can force us to do so.

By learning about this reality, we understand that the obligation to vaccinate against covid 19 contravenes this rule. We also discover that medical research on human beings must, among other things, be subject to legal rules.
We have seen that no one can legally, in France, force an individual to take a drug in the research phase against their will. This reality is also reaffirmed by this text. Important information is also given to us in this text and erases any possibility of presenting vaccines against covid 19 as not being part of medical research.

> We discover that the term **"medical research"** encompasses any **"experimentation carried out on human beings, the aim, or one of the aims, of which is to broaden medical knowledge",** so vaccines against covid 19 fits well into this framework.

In addition, it is also specified that in medical research, the primary objective is the interest and well-being of the person and this before the interest of science and society. Faced with what we have seen during the pandemic, we can be doubtful.
Thus, to advance science, the person cannot be harmed, and this also implies their work. This rule therefore presents the obligation to vaccinate against covid 19 which was imposed on certain socio-professionals, so that they could work, as being illegal.
No constraint should be exercised to force an individual to participate in research for a drug, against their will.

The notion of free consent is a key element that conditions participation in this type of protocol. In view of all these indications, we arrive at the same conclusion, the obligation to vaccinate against covid 19 at the time when it was active was illegal.

And finally, it is also clearly stated that any rule that would deviate from all or part of what has just been presented must be prohibited and even stopped, in the event that the trials have already started. This is yet another element that allows us to affirm that the obligation to vaccinate against covid 19 is against the law and should never have been.
In view of the elements that have been developed, it is clear that those who refuse to be vaccinated against covid 19, and therefore to participate in this **"large-scale** *clinical trial",* are within their rights, they are simply complying with the rules established by the European Union and to which France is subject.
In this last text, we also discover that the "experimentation carried out on human beings, the aim or one of the aims of which is to broaden medical" knowledge must be, among other things, subject to the "declaration of Helsinki". We are now moving towards discovering the *[Déclaration d'Helsinki de L'AMM – Principes éthiques applicables à la recherche médicale impliquant des êtres humains. Adoptée par la 18e Assemblée générale de l'AMM, Helsinki, Finlande, Juin 1964 et amendée par les : 29e Assemblée générale de l'AMM, Tokyo, Japon, Octobre 1975, (…) 59e Assemblée générale de l'AMM, Séoul, République de Corée, Octobre 2008, 64e Assemblée générale de l'AMM, Fortaleza, Brésil, Octobre 2013]*, which sets out the following:
"Preamble: The World Medical Association (WMA) has developed the Declaration of Helsinki as a statement of ethical principles for medical research involving human subjects, including research on identifiable human material and data.
The Declaration is intended to be read as a whole and each of its constituent paragraphs should be applied with consideration of all other relevant paragraphs. […] *General Principles: […]* **It is the duty of the physician to promote and safeguard the health, well-being and rights of patients, including those who are involved in medical research.** *The physician's knowledge and conscience are dedicated to the fulfilment of this duty. […] Medical research is subject to ethical standards that promote and ensure respect for all human subjects and protect their health and rights.*
While the primary purpose of medical research is to generate new knowledge, **this goal can never take precedence over the rights and interests of individual research subjects.** *It is the duty of physicians who are involved in medical research to protect the life, health, dignity, integrity, right to self-determination, privacy, and confidentiality of personal information of research subjects.*
[…] Physicians must consider the ethical, legal and regulatory norms and standards for research involving human subjects in their own countries as well as applicable international norms and standards. No national or international ethical, legal or regulatory requirement should reduce or eliminate any of the protections for research subjects set forth in this Declaration. **[…] Scientific Requirements and Research Protocols:** *[…] The protocol should contain a statement of the ethical considerations involved and should indicate how the principles in this Declaration have been addressed.*
The protocol should include information regarding funding, sponsors, institutional affiliations, potential conflicts of interest, incentives for subjects and information regarding provisions for treating and/or compensating subjects who are harmed as a consequence of participation in the research study. *Research Ethics Committees:*
The research protocol must be submitted for consideration, comment, guidance and approval to the concerned research ethics committee before the study begins. […]
It must take into consideration the laws and regulations of the country or countries in which the research is to be performed as well as applicable international norms and standards but these must not be allowed to reduce or eliminate any of the protections for research subjects set forth in this Declaration. […] Informed Consent: Participation by individuals capable of giving informed consent as subjects in medical research must be voluntary.

Although it may be appropriate to consult family members or community leaders, no individual capable of giving informed consent may be enrolled in a research study unless he or she freely agrees. In medical research involving human subjects capable of giving informed consent, each potential subject must be adequately informed of the aims, methods, sources of funding, any possible conflicts of interest, institutional affiliations of the researcher, the anticipated benefits and potential risks of the study and the discomfort it may entail, post-study provisions and any other relevant aspects of the study.
The potential subject must be informed of the right to refuse to participate in the study or to withdraw consent to participate at any time without reprisal. Special attention should be given to the specific information needs of individual potential subjects as well as to the methods used to deliver the information.
After ensuring that the potential subject has understood the information, the physician or another appropriately qualified individual must then seek the potential subject's freely-given informed consent, preferably in writing. If the consent cannot be expressed in writing, the non-written consent must be formally documented and witnessed. […]" (translated into English from the original text).

It is, above all, important to emphasize the scope of this declaration. This is not a legislative text taken on health by a country or a group of States, such as the European Union, and which would only concern certain territories.
Here, this declaration which sets out the fundamental principles applicable to all forms of medical research is binding on all nations, it is therefore supranational and of global scope. Indeed, this text is from the "Feather (pen)" of the **"World Medical Association (WMA)"** and we discover its field of application. Here is an excerpt:

> **"[…] No national or international ethical, legal or regulatory requirement should reduce or eliminate any of the protections for research subjects set forth in this Declaration. […]"**

Thus, the "Declaration of Helsinki" provides protection to all those involved in medical research, also called "clinical trials", in order to ensure that their rights are not violated. The most important element that we have just seen is the possibility given to each citizen to be able to refuse to be vaccinated if they do not wish to be.
This reality is taken up in European law, particularly in the text *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Taken from the website: https://eur-lex.europa.eu]* which establishes the following: *"The members of the International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH) have agreed on a detailed* **set of guidelines on good clinical practice which is an internationally accepted standard for designing, conducting, recording and reporting clinical trials, consistent with principles that have their origin in the World Medical Association's Declaration of Helsinki. […]**
This Regulation is in line with the major international guidance documents on clinical trials, such as the 2008 version of the World Medical Association's Declaration of Helsinki and good clinical practice, which has its origins in the Declaration of Helsinki". (translated into English from the original text).

We discover here that all the protocols that the European Union has established for "good clinical practices" as well as for "clinical trials" are based on the "Declaration of Helsinki" to which it is subject. We can therefore deduce that, the European Union having primacy over the marketing of vaccines that are still in the "clinical trial" phase and being, itself, subject to the "Declaration of Helsinki", any European State that does not respect the established rules would be outside the law and the vaccinal laws against covid 19 that it would then institute would be without legislative basis and would contravene their constitution.

Now, these elements established, I will present to you one of the keys to the “Declaration of Helsinki” which allows us to conclude that the compulsory vaccination against covid 19 instituted by certain countries, including France, is perfectly illegal.
We have discovered that according to the rules imposed by the “World Medical Association (WMA)”, no one can, at will, consider one part of the “Declaration of Helsinki” and reject another. Indeed, in this text it is stated that:

> **“[…] The Declaration is intended to be read as a whole and each of its constituent paragraphs should be applied with consideration of all other relevant paragraphs. […].”**

What is said here is of capital importance!
Let us dwell on these two sentences. What do they imply in the context of covid 19 vaccines? Let us recall that European states are not sovereign in matters of research on human beings, so “clinical trials” are part of it, because they are subject to the “Declaration of Helsinki”.
Considering these bases, let us return to the implementation of covid 19 vaccines. Two types of “clinical trials” have been established.
The first concerns the “(usual) clinical trials” which allowed the marketing of anti-covid 19 vaccines “conditionally” in Europe.
The clinical trials conducted in this context were carried out according to the criteria defined by the “Declaration of Helsinki”. Thus, the participants in this experimental medical protocol from the European Union, America or other countries all had the opportunity to exercise their enlightened conscience, and were not subjected to any pressure to be vaccinated. This participation was therefore done on a voluntary basis.

> It can also be said that those who wanted to abandon the protocol were able, in all likelihood, to do so, in accordance with the “Helsinki” rules without suffering any harm. In continuity, we can assume that if this were not the case, the “World Medical Association” would have vetoed it and these vaccines against covid 19 would never have been able to be marketed.

On the other hand, we have also seen, in the context of vaccines against covid 19, during the pandemic the databases of this virus being on many points still unknown and needing to be enriched, **so-called “large-scale” “clinical trials”** in Europe were authorized to allow the marketing of anti-covid 19 vaccines in a “conditional” manner and the data resulting from the monitoring of mass vaccination continue to be collected.
These realities displayed in the European Union regulation, concerning the marketing of vaccines against covid 19, at the experimental stage, are the same in other non-European countries. To understand this, let us see the position of the one who is considered to be the leader of the free world, the United States of America, in the face of the “Declaration of Helsinki” and by extension in the face of the “World Medical Association (WMA)”.
Here is what we can, among other things, read about it: **“[…] The Helsinki Declaration differs from its American version in several respects, the most significant of which is that it was developed by and for physicians. The term “patient” appears in many places where we would expect to see “subject”.**
It is stated in several places that physicians must either conduct or have supervisory control of the research. The dual role of the physician-researcher is acknowledged, but it is made clear that the role of healer takes precedence over that of scientist.
[...] The Helsinki Declaration is based less on key philosophical principles and more on prescriptive statements.[…] Elements in a research protocol, use of placebos, and obligation to enroll trials in public registries (to ensure that negative findings are not buried), and requirements to share findings with the research and professional communities are included in the Helsinki Declaration. […]” *[National Library of Medicine. Informations COVID-19, Taken from the website: https://pubmed.ncbi.nlm.nih.gov/25951678/].*

It therefore appears that the United States is also subject to the “Declaration of Helsinki”, which has been adapted. Within this Nation, it seems to place the participant, considered as a patient, at the heart of the “clinical trial” rather than considering him as the subject allowing the enrichment of scientific knowledge. Moreover, in the American version of the “Declaration of Helsinki”, the term “patient”, used in place of the term “subject” can reflect this reality. All this allows us to understand that for medical research (clinical trials), America, as powerful as it is, is subject to the “Declaration of Helsinki”.

We will now discover the reality of the marketing of vaccines against covid 19 on the American market.To do so, let's read this: **“What is an Emergency Use Authorization (EUA)? An Emergency Use Authorization (EUA) is a mechanism to facilitate the availability and use of medical countermeasures, including vaccines, during public health emergencies, such as the current COVID-19 pandemic.**
Under an EUA, FDA may allow the use of unapproved medical products, or unapproved uses of approved medical products *in an emergency to diagnose, treat, or prevent serious or life-threatening diseases or conditions when certain statutory criteria have been met,* **including that there are no adequate, approved, and available alternatives. […]** *FDA must determine that the known and potential benefits outweigh the known and potential risks of the vaccine.*
[…] FDA expects vaccine manufacturers to include in their EUA requests a plan for active follow-up for safety, including deaths, hospitalizations, and other serious or clinically significant adverse events, among individuals who receive the vaccine under an EUA, to inform ongoing benefit-risk determinations to support continuation of the EUA. […]” *[U.S Food & Drug, Administration. Autorisation d'utilisation d'urgence pour les vaccins expliquée. Taken from the website: https://www.fda.gov/vaccines-blood-biologics/vaccines/emergency-use-authorization-vaccines-explained (translated into English from the original text)].*

Let's add this text to our study: **“While COVID-19 vaccines were developed rapidly,** *all steps were taken to make sure they are safe and effective […] Authorization or Approval – Before vaccines are available to people, the U.S. Food and Drug Administration (FDA) assesses the findings from clinical trials.* **FDA determined that three COVID-19 vaccines met FDA’s safety and effectiveness standards and granted those vaccines Emergency Use Authorizations (EUAs).** *This allowed the vaccines to be quickly distributed to control the pandemic. […]*
Tracking Safety Using Vaccine Monitoring Systems – COVID-19 vaccine safety monitoring has been the most intense and comprehensive in U.S. history. Hundreds of millions of people in the United States have received COVID-19 vaccines.
Through several monitoring systems, CDC and FDA continue to provide updated information on the safety of these vaccines. […]” *[Foire aux questions sur la vaccination contre la COVID-19. Dernière mise à jour le 28 décembre 2021. Source du contenu : Centre national de vaccination et des maladies respiratoires (NCIRD), division des maladies virales. Taken from the website: https://www.cdc.gov/coronavirus/2019-ncov/vaccines/faq.html (translated into English from the original text)].*

We discover in these texts that the United States, like Europe, had to deal with the emergency situation by agreeing to market anti-covid 19 vaccines that were developed quickly. However, this marketing also responds to very specific rules.
Thus, in the context of a state of sanitary emergency, the Food and Drug Administration (FDA), the American administration that regulates the marketing of foodstuffs and drugs, can authorize the marketing of drugs that are not approved for use in the United States, as was the case during the anti-covid 19 vaccine pandemic.
Unable to grant these products marketing authorizations on the normal basis, the FDA granted them “emergency use authorizations (EUA)” because the potential benefits were deemed to outweigh the risks.

So, these are the data of the hundreds of millions of people in the United States who have been vaccinated against covid-19, in return, through the surveillance systems that have been put in place, data is collected, the objective being to collect up-to-date information on the safety of these vaccines.
This is the equivalent of what is applied in Europe, only the terms change. **Emergency use authorizations** for the United States, **conditional marketing authorizations** for the European Union. This type of monitoring allowing data collection, is presented as being **"the most intense and the most complete in the history of the United States".**

Remember that this kind of research on human beings must be subject to all the rules of the "Declaration of Helsinki"*,* **conceived as an inseparable whole.**
To continue, let's discover the terms defining the end of "emergency use authorizations (EUA)" of anti-covid 19 vaccines by America by reading the text *[Jacqueline A. O'Shaughnessy, Ph.D. Acting Chief Scientist. Food and Drug Administration]* which establishes the following:
"On December 11, 2020, the Food and Drug Administration (FDA) issued **an Emergency Use Authorization (EUA) for emergency use of Pfizer-BioNTech COVID-19 Vaccine for the prevention of COVID-19** *for individuals 16 years of age and older pursuant to Section 564 of the Act. […]*
IV. Duration of Authorization: This EUA will be effective until the declaration that circumstances exist justifying the authorization of the emergency use of drugs and biological products during the COVID-19 pandemic is terminated under Section 564 (b)(2) of the Act or the EUA is revoked under Section 564(g) of the Act. Sincerely".

The "emergency use authorization" should cease to exist at the end of the covid 19 pandemic. We were therefore throughout the health crisis, at the global level, still in this process of "clinical trial in large scale", subject to the rules of the "Declaration of Helsinki".
Now let's find out what would make the covid 19 vaccination that America had introduced illegal. To do this, the text [U.S Food & Drug, Administration. Post: Emergency Use Authorization for Vaccines Explained. Taken from the website: https://www.fda.gov/vaccines-blood-biologics/vaccines/emergency-use-authorization-vaccines-explained] which establishes the following: *"[…] The U.S. government – in partnership with health systems, academic centers, and private sector partners – will use multiple existing vaccine safety monitoring systems to monitor COVID-19 vaccines in the post-authorization/approval period. [...]*
FDA must ensure that recipients of the vaccine under an EUA are informed, to the extent practicable given the applicable circumstances, that FDA has authorized the emergency use of the vaccine, of the known and potential benefits and risks, the extent to which such benefits and risks are unknown, that they have the option to accept or refuse the vaccine, and of any available alternatives to the product. [...]"

Here, there is no possible ambiguity. It is clear that in the context of an EUA, therefore an "emergency use authorization" of vaccines against covid 19, there is an obligation for the FDA to ensure that those who will be vaccinated are informed of the **"potential benefits and risks, the extent to which such benefits and risks are unknown"** of these products.

> **In addition, they must also be informed "that they have the option to accept or refuse the vaccine".**

Here we find the bases that the "Declaration of Helsinki" established so that a product in the **"research phase (clinical trial)"** can be used on a human being.
The most important element that we have just seen is the possibility that is given to each American citizen to be able to refuse to be vaccinated if they do not wish to be.

> This reality was non-existent in France, on the contrary, during the pandemic the obligation to vaccinate against covid 19 was imposed on us, like a yoke.

Let us now see what Mr. MARGUERITE is relying on to affirm that the obligation to vaccinate against covid 19 is “illegal”. To do this, we will focus particularly on the European protocol which establishes this “clinical trial in large scale”, to highlight its character which contravenes the rules of the “Declaration of Helsinki”.
The vaccines against the coronavirus, as we have seen, were always during the entire health crisis in **phase 3 of “clinical trial”,** but because of the pandemic, they were marketed conditionally, to the greatest number. It is this widely extended marketing that has allowed the laboratories concerned to continue collecting scientific data, coming from the use of these vaccines against covid 19, on all those who use it, and this while they were not registered in a protocol called **“clinical trial (normal)”.**
We have already seen that carrying out “experiments on human beings, the aim or one of the aims of which is to broaden medical knowledge”, is similar to medical research also called “clinical trial”.
This type of intervention must meet very specific, inseparable criteria, defined in “the Helsinki Declaration”. What about it? Let us read this: **“Clinical study’ means any investigation in relation to humans intended: […]**
a) to discover or verify the clinical, pharmacological or other pharmacodynamic effects of one or more medicinal products;
b) to identify any adverse reactions to one or more medicinal products; or
c) to study the absorption, distribution, metabolism and excretion of one or more medicinal products; with the objective of ascertaining the safety and/or efficacy of those medicinal products; Clinical trial’ means a clinical study which fulfils any of the following conditions:
2, a) the assignment of the subject to a particular therapeutic strategy is decided in advance and does not fall within normal clinical practice of the Member State concerned;
2, b) the decision to prescribe the investigational medicinal products is taken together with the decision to include the subject in the clinical study; or
2, c) diagnostic or monitoring procedures in addition to normal clinical practice are applied to the subjects.
3) ‘Low-intervention clinical trial’ means a clinical trial which fulfils all of the following conditions:
a) the investigational medicinal products, excluding placebos, are authorised;
b) according to the protocol of the clinical trial,
(i) the investigational medicinal products are used in accordance with the terms of the marketing authorisation; or
(ii) the use of the investigational medicinal products is evidence-based and supported by published scientific evidence on the safety and efficacy of those investigational medicinal products in any of the Member States concerned; and
c) the additional diagnostic or monitoring procedures do not pose more than minimal additional risk or burden to the safety of the subjects compared to normal clinical practice in any Member State concerned; [...]
17) ‘Subject’ means an individual who participates in a clinical trial, either as recipient of an investigational medicinal product or as a control; [...]
25) ‘Start of a clinical trial’ means the first act of recruitment of a potential subject for a specific clinical trial, unless defined differently in the protocol;
26) ‘End of a clinical trial’ means the last visit of the last subject, or at a later point in time as defined in the protocol […]”
[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre I, article 2, définitions. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].

Let's complete with this other text:

“All clinical trials should be registered in the EU database prior to being started. As a rule, the start and end dates of the recruitment of subjects should also be published in the EU database”. *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].*

First of all, it is important to note that the elements reported here, being from a regulation of the European Union, all European States must submit to them. Thus, in these lines are presented the rules governing “clinical trials” in France.
We discover, among other things, that any medical manipulation intended to discover or highlight the effects of a drug on humans **“with the aim of ensuring the safety and/or the effectiveness of this drug”** and this in a framework that is not the established standard, is considered to be a **clinical trial.** The drugs concerned may be new molecules of which until now we do not yet fully know all the benefits and risks.
Nevertheless, they must have already been studied and that evidence concerning them is supported and is the subject of scientific publications.

In addition, it is said that what allows the experimental stage of a drug to be recognized is that it must be taken within the framework of a protocol that allows elements to be collected on the evolution of the health of the participant who received these substances, especially the negative consequences. Similarly, the status of “participant” in a “clinical trial” concerns both the one who receives the experimental drug and the one who serves as a control.
Apart from all this, this text presents the “clinical trial” as being very regulated and that it requires the establishment of a protocol, described in a document that presents the objectives, the conception, the methodology, etc.

Finally, it is also specified that for there to be a “clinical trial”, the meeting of all these elements, which we have just seen, must be notified in a protocol, with the start and end dates of this “clinical trial”, and that the participants are informed and this data must be recorded in the European Union database.
To continue, it is important to note that the texts reported earlier, as we have seen, specify that generally a “clinical trial” must mention and notify participants of a date for the start of the experiment and one for the end.

Also, it is assumed that an exceptional event is given an unprecedented response, meaning that the end date of the experiment on those who received vaccines against covid 19 could not be established, because no one during this pandemic had such information!
Thus, it is impossible to know how long the vaccines against covid 19 will continue to be effective in the bodies of those to whom they have been inoculated.

Thus, setting an end date for this experiment is impossible, which makes the marketing protocols for vaccines against covid 19 incomplete and thereby also renders the vaccinal obligation that accompanied them null and void.
Indeed, in the case of this pandemic, the vaccines as they were administered are similar to a **“large-scale** *clinical trial”.* All those who were vaccinated are therefore the participants in this **large-scale clinical trial (guinea pigs).**

> We are therefore far from the regulatory framework put in place by the European Union.

It is important not to lose sight of the fact that, in an attempt to curb this covid 19 pandemic, two types of “clinical trials” have been set up, as we have seen.

> The first, the one just described that we will call the “normal” one, was carried out by the laboratories that designed the various vaccines with the usual requests for volunteers for the tests.

> On the other hand, in the information collected so far, it also appears that given the lack of known data relating to the covid 19 virus, the marketing of vaccines was done so that *"the efficacy trials were carried out on a large scale"* with those who had been vaccinated as guinea pigs.

This is how, thanks to all those who are vaccinated, in the world, the European Union is gradually collecting data from the experiment, such as **"antibody levels in the blood"** in order to measure the efficacy of vaccines against covid 19.
Hence the fact that vaccines against covid 19 are being marketed "conditionally", because the data concerning them are incomplete, so it is as and when information is collected, in these **"large-scale efficacy trials".** Then this information is added to the existing databases, which leads scientists to better understand how the virus acts and to put in place the best protocol to fight it, or even eradicate it.
So far, nothing abnormal, we are in a **"clinical trial** *in large scale"* with the aim of vaccination, with all the inhabitants of the earth as participants, but where the problem lies is when we move on to compulsory vaccination against covid 19 and we are no longer in a voluntary situation, we fall under the blow of a transgression of the "Declaration of Helsinki".

Let us recall that the framework in which the European Union's research on covid 19 and the vaccines to combat it were taking place during the pandemic was the **"clinical trial** *in large scale",* and in reality these vaccines, it should be remembered, were in phase 3 of "clinical trials".

> In doing so, all those who had opted for vaccination with these anti-covid 19 vaccines, participate, willingly or unwillingly, in this type of medical research.

To continue, we now invite you to discover what has been established in terms of informed consent for minors who participate in a "clinical trial". *"[…] Human dignity and the right to the integrity of the person are recognised in the Charter of Fundamental Rights of the European Union (the 'Charter').* **In particular, the Charter requires that any intervention in the field of biology and medicine cannot be performed without free and informed consent of the person concerned. […]**
This Regulation should be without prejudice to national law requiring that, **in addition to the informed consent given by the legally designated representative, a minor who is capable of forming an opinion and assessing the information given to him or her, should himself or herself assent in order to participate in a clinical trial. […]"**
[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].

Let's finish with this: **"[…] This Regulation is without prejudice to national law requiring that, in addition to the informed consent given by the legally designated representative, a minor who is capable of forming an opinion and assessing the information given to him or her, shall also assent in order to participate in a clinical trial. […]"** *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre V. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].*

These texts highlight the terms relating to the right of informed consent of minors in the face of a "clinical trial". Thus, although they cannot, by themselves, choose to participate, they are given the opportunity to give their opinion when they are able to do so.
Let us emphasize again, if necessary, that this decision to participate in this protocol must be taken in complete freedom, therefore without any constraint or pressure being exerted on this minor and/or on his legal representative.

So far, we have discovered many facets of the terms of informed consent that must be put in place for participants in a “clinical trial”, let us now discover how the latter must be acted upon in reality. Let us add this most instructive text to our study:
“[…] The participant or his legally designated representative may withdraw this consent at any time. […]
Any participant or, if he is unable to give informed consent, his legally designated representative may, without incurring any prejudice and without having to justify himself, withdraw from the clinical trial at any time by revoking his informed consent. […]” *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre V, protection des participants et consentement éclairé, article 28, règles générales. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].*

Let's complete with this text: **“[…] In accordance with international guidelines, the informed consent of a subject should be in writing. When the subject is unable to write, it may be recorded through appropriate alternative means, for instance through audio or video recorders.**
Prior to obtaining informed consent, the potential subject should receive information in a prior interview in a language which is easily understood by him or her. The subject should have the opportunity to ask questions at any moment. Adequate time should be provided for the subject to consider his or her decision. […]
It is appropriate to allow that informed consent be obtained by simplified means for certain clinical trials where the methodology of the trial requires that groups of subjects rather than individual subjects are allocated to receive different investigational medicinal products.
In those clinical trials the investigational medicinal products are used in accordance with the marketing authorisations, and the individual subject receives a standard treatment regardless of whether he or she accepts or refuses to participate in the clinical trial, or withdraws from it, so that the only consequence of non-participation is that data relating to him or her are not used for the clinical trial. […]
This Regulation should be applied by the Member States in accordance with those rights and principles. [...]” *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].*

The bases presented in these texts are simple, we learn that a person who participates in a “clinical trial” must first follow an interview to receive all the information inherent to this process and this in a language mastered by the participant. Once all the information has been obtained, a time for reflection is given. From then on, two possibilities exist, the first is to refuse and withdraw from this clinical trial. The second is to give consent.
Nevertheless, one remains free to withdraw from this “clinical trial” at any time, even if one has already given one's informed consent.
To do this, it will be sufficient to revoke the commitment that had been made beforehand. Thus, even if one had agreed to adhere to such a protocol, one has, at any time, the right to choose to no longer participate in it, without being legally affected. These rights and principles have not been repealed.

Moreover, we must not lose sight of the fact that this European regulation applies to all Member States, so France is subject to it. However, this is not what happened in France, where vaccinal laws against covid 19 have, during the health crisis, forced citizens, caregivers, in particular to be vaccinated; in doing so, when they were instituted, they did not respect the principles set by this European regulation.
Which makes this obligation to vaccinal against covid 19 that was enacted obsolete.

To continue, we will discover other realities related to vaccination, in general and which can be transposed to that more specifically intended to combat covid 19.
To do this, we invite you to read the text *[Commission des affaires européennes du Sénat. Actualités européennes. N°67, 21 juillet2021. Obligation vaccinale et pass sanitaire : position de l'Union Européenne et du Conseil de l'Europe (translated into English from the original text)]* which establishes the following:
"[…] The European Court of Human Rights (ECHR) is responsible for ensuring the proper application of the European Convention on Human Rights.
From Article 11 of the European Social Charter which provides that, with a view to ensuring the effective exercise of the right to the protection of health, States undertake to take appropriate measures aimed in particular at preventing epidemic diseases, ECHR concludes that States have a very wide margin of appreciation to guarantee the right to life and the protection of their population, which includes the possibility of deciding on compulsory vaccination of the population.
This is the position that the Court expressed in its Vavřička and Others v. Czech Republic of 8 April 20211 2 on vaccination against childhood diseases. However, it would be hasty to conclude from this judgment that the ECHR would consider in accordance with the European Convention on Human Rights an obligation to vaccinate against SARS-CoV-2.
Indeed, the ECHR assesses in concreto the situation of the applicant and the possible violations of the Convention of which he considers himself a victim.
If the Court were to rule on this question, it would take into consideration the efficacy and safety of the vaccines, the seriousness of the disease, the penalties for refusing the vaccine and the impact of these penalties on the rights of the applicants.
Vavřička and Others v. Czech Republic from the European Court of Human Rights of 8 April 2021: The European Court of Human Rights had to intervene in a dispute between the Government of the Czech Republic and six sets of parents opposed to the mandatory vaccination of their children against childhood diseases.
They argued that the vaccination obligation imposed by the Government of the Czech Republic was contrary to Article 8 of the European Convention on Human Rights concerning respect for private and family life.
In its judgment of 8 April 2021 (Vavřička and Others v. Czech Republic judgment), the Court concluded that this obligation to vaccinate was not contrary to the European Convention on Human Rights. In reaching this conclusion, the Court assessed the following elements:
– if it recognizes that the obligation to vaccinate constitutes an interference in the private life of the applicants, it notes that no forced vaccination took place;
– an dispensation is possible in case of permanent medical contraindication;
– the choice of compulsory vaccination is supported by relevant and sufficient reasons in the best interests of the rights of the child;
– the safety of vaccines is not called into question;
– the penalties applied to the applicants were not excessive, namely a fine and refusal to enroll in the nursery school alone. […]"

First of all, we would like to point out that what is presented here is a textbook case! Here we find the law and the spirit of the law. To tell you about it, we will tell you that the best way to defeat an opponent is to **"turn your weapon against him".**
Nevertheless, there is a very specific framework to respect, under penalty of being dismissed. We see this in this case. Here in this case presented, although the applicants clearly present a violation of their rights and oppose in their defense, the applicable articles of the European Convention on Human Rights, they were nevertheless dismissed.
Let's get into the twists and turns of this case. What is it about? It is a conflict between six couples of parents and the Czech government.

The subject of the dispute is the vaccination obligation for children instituted by this State. To assert their rights, these parents brought their case before the European Court of Human Rights and took as their main line of defense, **"Article 8 of the European Convention on Human Rights relating to respect for private life and family".**

Nevertheless, despite the fact that the European Court of Human Rights recognizes that the vaccination of children *"[...] constitutes an interference in the private life of the applicants [...]",* they were nevertheless dismissed. Why?
In order to understand the reason for the rejection, we must not lose sight of the fact that although *"the European Court of Human Rights (ECHR) is responsible for ensuring the proper application of the European Convention on Human Rights […]",* it has defined precise criteria so that an applicant can succeed. Let's review these basics:

> **"[…] If the Court were to rule on this question, it would take into consideration the efficacy and safety of the vaccines, the seriousness of the disease, the penalties for refusing the vaccine and the impact of these penalties on the rights of the applicants. […]".**

We will therefore use what has been decreed here, as well as other legislative texts in order to demonstrate that the compulsory vaccination against covid 19 that France had instituted, has no reason to exist. One of the criteria that is highlighted in this text is "the seriousness of the disease".
This criterion is tangible and "palpable", with regard to the coronavirus.
This criterion leads us directly to the next one "the efficacy and safety of vaccines".

> In this regard, it may be argued that these products benefited from a "conditional" marketing authorization by specifying that they were still, during the period when the vaccinal laws against covid 19 remained in force, in the phase of **"large-scale** *clinical trial"* since all the "negative" repercussions of the vaccine are not yet known.

Even though the risk/benefit ratio is often put forward, the fact remains that during the pandemic, the "safety" box could not be checked for covid 19 vaccines.
Similarly, since vaccinated people can be infected with the coronavirus and contaminate others, even if a certain efficacy is recognized, it is relative.

> The "efficacy" box cannot be checked for this vaccine either.

Here's what we're learning about the effectiveness of the vaccine: **"Because they have a reduced risk of transmission of the virus, vaccinated, non-contaminated or immunized persons must be able to travel."** *[Post: Pass sanitaire, point de situation le « pass sanitaire » en Europe et à l'international. Extract taken from the website: https://www.gouvernement.fr/info-coronavirus/pass-sanitaire (translated into English from the original text)].*

Let's add this text to our study: **"In the current state of knowledge, vaccines available or under development reduce the severity of symptoms but not contagiousness. It is therefore necessary to continue to isolate oneself in case of positive test, in case of contact with a positive person or in case of symptoms. […]"** *[Post: Vaccination contre le Covid-19: quel calendrier? Pourquoi se faire vacciner? Extract taken from the website: https://www.service-public.fr (translated into English from the original text)].*

Let's finish with this text: **"[…] On the other hand, the vaccine coverage is independent of the positivity to the screening test and of the pathology: one can be a carrier, sick, transmitter with high vaccine coverage. [...]"** *[Extract taken from: Projet de loi Gestion de la crise sanitaire, présenté au sénat Français. Amendement N°16. Article 1er, 10 janvier 2022, présenté par Mme MULLER-BRONN (translated into English from the original text)].*

Here we find out that being vaccinated against covid 19 does not provide immunity against this virus and there is still a risk of being infected and the vaccine does not prevent us from still being able to infect others. In doing so, in the event of contamination, the vaccinated person, who is still contagious, must isolate himself.
The very fact that a vaccinated person can be infected with covid 19 and contaminate an unvaccinated person presents us with a reality that calls for not acting in a discriminatory manner towards the latter.

> Indeed, neither **"total"** effectiveness nor **"safety"** in terms of protection against infection is ensured by vaccination against covid 19.

To return to the "Vavřička ruling", what gave the Czech Republic victory over these six couples of parents is the fact that the mandatory vaccines for their children against childhood diseases are already in the "normal" marketing phase.

Thus the scientific proof of the **"benefit/risk"** ratio is well established. Which was not, during the entire period of restrictions of the vaccinal laws against the coronavirus, the case of the anti-covid 19 vaccines, which as we have seen, were in **phase 3 of experimentation.**
In addition, at the European level, the vaccination obligation against covid 19 was at that time presented as not having to become a discrimination which would be carried out against a part of society.
This tells us: **"This Regulation is intended to facilitate the application of the principles of proportionality and non-discrimination with regard to restrictions to free movement during the COVID-19 pandemic, while pursuing a high level of public health protection.**
It should not be understood as facilitating or encouraging the adoption of restrictions to free movement, or restrictions to other fundamental rights, in response to the COVID-19 pandemic, given their detrimental effects on Union citizens and businesses.
[...] It is necessary to prevent direct or indirect discrimination against persons who are not vaccinated, for example because of medical reasons, because they are not part of the target group for which the COVID-19 vaccine is currently administered or allowed, such as children, or because they have not yet had the opportunity or chose not to be vaccinated.
Therefore, possession of a vaccination certificate, or the possession of a vaccination certificate indicating a COVID-19 vaccine, should not be a pre-condition for the exercise of the right to free movement or for the use of cross-border passenger transport services such as airlines, trains, coaches or ferries or any other means of transport.
In addition, this Regulation cannot be interpreted as establishing a right or obligation to be vaccinated". *[Extrait de: Règlement (UE) 2021/953, du Parlement Européen et du Conseil du 14 juin 2021, relatif à un cadre pour la délivrance, la vérification et l'acceptation de certificats COVID-19 interopérables de vaccination... (translated into English from the original text)].*

Reading this text while keeping in mind what has been previously stated, we understand that there can be no discrimination against those who did not wish to be vaccinated against covid 19.
In addition, we discover again here that not being vaccinated against the coronavirus should not be a cause leading to fundamental rights being violated. Let us continue by focusing on the important element below emerging from this text presented previously:

> **"The impact of these sanctions on the rights of applicants".**

It is important not to lose sight of the fact that, as was the case with Mr. MARGUERITE, all those who worked in certain professions could no longer carry out their activities if they were not vaccinated against covid 19.

This means that the “impact of these sanctions” was directly linked to the privacy and freedom of these people and was not optional, as in the case of the vaccination of these children in the case cited as an example, where no vaccine had been injected into them, against the wishes of their parents.
In doing so, no harm had been caused to these children!
In the context of the “sanitary and vaccinal pass”, people found themselves without income overnight, as Mr. MARGUERITE's case attests.
It is to avoid such excesses that European legislation has defined rules to govern any “clinical trial” or medical research on human beings carried out in Europe with the “Declaration of Helsinki” as a reference basis.
Therefore, this is what is presented in this text from the *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)]* of which here is an extract, which must be applied:
“In a clinical trial the rights, safety, dignity and well-being of subjects should be protected and the data generated should be reliable and robust. The interests of the subjects should always take priority over all other interests. […] Human dignity and the right to the integrity of the person are recognised in the Charter of Fundamental Rights of the European Union (the ‘Charter’).
In particular, the Charter requires that any intervention in the field of biology and medicine cannot be performed without free and informed consent of the person concerned.
[…] In order to certify that informed consent is given freely, the investigator should take into account all relevant circumstances which might influence the decision of a potential subject to participate in a clinical trial, in particular whether the potential subject belongs to an economically or socially disadvantaged group or is in a situation of institutional or hierarchical dependency that could inappropriately influence her or his decision to participate. […]”

Let's complete with this: **“[…] ‘Informed consent’ means a subject's free and voluntary expression of his or her willingness to participate in a particular clinical trial, after having been informed of all aspects of the clinical trial that are relevant to the subject's decision to participate or, in case of minors and of incapacitated subjects, an authorisation or agreement from their legally designated representative to include them in the clinical trial”**
[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre I, article 2, définitions. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].

Let's add this text *[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre V, protection des participants et consentement éclairé, article 28, règles générales. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)]* of most instructive to our study and which established the following:

> **“[...] No coercion, including financial coercion, is not exercised on participants so that they participate in the clinical trial. [...]”**

Reading these texts, we see that we are far from what happened in France during the sanitary crisis for all French people, especially for our caregivers, where coercion was constantly present to impose vaccination against covid 19 on them.
We repeat, should this unprecedented situation flout the consent that must be required?

It is indeed clearly stated that no biological or medical intervention can be carried out on a human being without their “informed consent” and this because of “human dignity and the right to the integrity of the person”, these two notions are recognized in the Charter of Fundamental Human Rights of the European Union.
They transcend the reality of “clinical trials” because they are rooted in the reality of fundamental human rights.
Thus this text, which “it seems to us”, has not been repealed, presents in itself the “illegal” nature of laws requiring individuals to be vaccinated when they oppose it, since they contravene the rules laid down in European law.
In addition, this informed consent must be given in a framework where nothing influences the person who must make the decision to participate in a "clinical trial" in the context of biology and/or medicine.

In addition, “informed consent” to a “clinical trial” is accompanied by the provision of all the information allowing the “volunteer” candidate to make his or her decision. We also learn that no constraint of any kind should be exercised to participate in a “clinical trial”.

We have just discovered what should normally be done, now let's take a “look” at what was actually instituted in the protocols for vaccinal against covid 19 in France during the health crisis relating to covid 19. To find out, read this:
“[…] Having regard to the amended decree of June 1, 2021 prescribing the general measures necessary for managing the end of the health crisis; **[…] That to this end, it is necessary** *to establish the list of vaccines* **and to specify the training methods required for health professionals, health students and other professionals likely to be involved in order to prescribe, administer or inject vaccines, as well as the modalities according to which they can carry out these acts;**
That it is thus foreseen, on the one hand, that the vaccination can be carried out in the laboratories of medical biology and, on the other hand, that the technicians of medical laboratory, manipulators in medical electro-radiology, preparers in pharmacy and veterinarians can administer the vaccines;
That it is also necessary for all health professionals and students to be able to vaccinate those entitled to care from the armed forces health service;
That finally it is necessary to extend the injection to all the health professionals mentioned in the fourth part of the legislative part of the public health code as well as to the ortho-prosthetists, podo-orthotists, ocularists, epithesists and orthopedists-orthotists;
That it is also necessary to allow employers to make available to vaccination centers masso-kinesitherapy students who have validated their second year of training;
Considering that in order to avoid the administration of a second dose of vaccine which would not be useful, **it is necessary to accompany the administration of the first dose with a rapid diagnostic orientation test for people who have not previously tested positive in the year prior to injection”**
[Arrêté du 7 juillet 2021 modifiant l'arrêté du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire. Taken from the website: https://www.legifrance.gouv.fr, (translated into English from the original text)].

Reading this text, the feeling one may have is that it is undeniable that these anti-covid 19 laws were established to deal with the urgent.
We see here that the only recommendation given to those with the authority to vaccinate the population against covid 19 was that during the first injection of these vaccines, it was necessary to carry out: **“[…] a rapid diagnostic orientation test […]”.**

In reality, of course, this was not the case. Here, the European obligations – those requiring that a person who is to take a drug still in the trial or research phase be informed about the nature of the substance they are going to take, as well as the entire protocol that accompanies it – are non-existent.

The time for reflection, which must be granted, and without pressure, to those who participate in such protocols, is also not present in this text.
It is true that, considering this health crisis, we do not see how during this pandemic a doctor or pharmacist who was required to vaccinate or who vaccinates “on the chain” against covid 19 could have the time to explain the entire protocol of a “clinical trial” to those he was going to vaccinate.
In addition, for those who came to be vaccinated, in such a setting, we do not see how they could assert their right to reflection and especially their right not to be influenced.

Nevertheless, did the unprecedented and deadly nature of this pandemic exonerate France from implementing the mandatory protocols that Europe has set in such a setting?
To give you some answers, we invite you to consider this question:

> Do you think that the urgent, unprecedented and uncontrolled nature of this pandemic opened up all possibilities and justified everything being **“out of frame”?**

We are now going to find out! To do so, I invite you to read this: **“[…] In the case of clinical trials in emergency situations as referred to in Article 35, the procedure for obtaining the informed consent of the subject or the legally designated representative to continue the clinical trial shall be described; […]”**
[Journal officiel de l'Union européenne. Règlement (UE) No 536/2014, du Parlement Européen et du Conseil du 16 avril 2014, relatif aux essais cliniques de médicaments à usage humain et abrogeant la directive 2001/20/CE. Chapitre XIX, dispositions finales. Taken from the website: https://eur-lex.europa.eu (translated into English from the original text)].

First of all, we will tell you that we have studied this European text on many aspects, but we have saved the best for last. What is presented here is clear:

> Even in emergency situations, we note that for “clinical trials”, there is no derogation from the principle of informed consent which continues to apply, or that of the legally designated representative.

What we have just seen shows us that the organization and protocols that had been put in place so that the French could be vaccinated against covid 19 were also illegal, because they contravened European law.
Thus, vaccination against covid 19 must be carried out as part of a voluntary process, in accordance with what is specified in the “Declaration of Helsinki” and the candidate must be able to meet a professional beforehand who explains all the ins and outs of this “clinical trial” and the vaccine(s) attached to it.
The candidate for vaccination against covid 19 must be informed and all the answers to his questions must be provided to him.

> But here, there is a HIC since during the pandemic all the questions were not yet answered, due to the lack of sufficient hindsight linked to this particular context.

This reality, even the state of emergency due to the pandemic should not hinder it, because no pressure of any nature whatsoever should influence those who would like to participate in such a protocol, that of the “clinical trial”. Certainly, the unprecedented nature of the pandemic due to the Coronavirus must be emphasized, which is why mass “clinical trials” were set up, also called **“clinical trials** *in large scale”.*
Yes, but on the other hand, no legal arsenal has come to modify or supplement this “Declaration of Helsinki” which, let us remember, applies to all nations. We are therefore faced with a legal vacuum because “new types” of “clinical trials” are being carried out, without these being framed by new rules to take this very particular dimension into account.
What was to be put in place in Europe for the anti-covid 19 vaccination should have been inspired by what was enacted in one of the texts presenting the reality of placing vaccines on the American market according to the “emergency use authorization (EUA)” protocol.

Let's review what was recommended in the United States for those who had to be vaccinated against covid 19:

> **"[…] They have the option to accept or refuse the vaccine, and of any available alternatives to the product. […]"**

This basis that America has established is that of the "Declaration of Helsinki". Europe being also subject to it, it had to comply with it and implement this rule.

> It seems inconceivable to Mr. MARGUERITE that the bases for managing vaccines against the coronavirus are established on those established for "clinical trials" and that the protection of participants, who in such a framework normally have the right to refuse or accept to participate, is not also taken into account and worse that reprisals of all kinds are carried out.
>
> **Incredible!**

Thus, nothing that was done, during the pandemic, in the context of the anti-covid 19 vaccination was in accordance with the European criteria for "clinical trials" established in the "Declaration of Helsinki", in particular that relating to "informed consent".
Thus, this **"clinical trial** *in large scale"* set up by the European Union with a view to testing anti-covid 19 vaccines on all Europeans, while not taking into account their rights of retraction, their rights to act with an an enlightened conscience and this without prejudice, rejects this fundamental aspect of the "Declaration of Helsinki".

In the absence of rules specifically governing these **"clinical trials** *in large scale",* it is those laid down by the "Declaration of Helsinki", for so-called traditional "clinical trials" that must apply.
The worst thing about this affair is that if France had put in place what the "Declaration of Helsinki" recommends, it would have been in line with its own legislation, because this supranational text specifies that medical research on human beings is subject to the legal and regulatory standards that are applicable in the countries concerned.

In order to fully understand this reality, let us reread this excerpt from the *[Déclaration d'Helsinki de L'AMM – Principes éthiques applicables à la recherche médicale impliquant des êtres humains. Adoptée par la 18e Assemblée générale de l'AMM, Helsinki, Finlande, Juin 1964 et amendée par les : 29e Assemblée générale de l'AMM, Tokyo, Japon, Octobre 1975, (…) 59e Assemblée générale de l'AMM, Séoul, République de Corée, Octobre 2008, 64e Assemblée générale de l'AMM, Fortaleza, Brésil, Octobre 2013 (translated into English from the original text)]*, qui établit ce qui suit :
"[…] Research Ethics Committees: *The research protocol must be submitted for consideration, comment, guidance and approval to the concerned research ethics committee before the study begins. […]*
It must take into consideration the laws and regulations of the country or countries in which the research is to be performed as well as applicable international norms and standards but these must not be allowed to reduce or eliminate any of the protections for research subjects set forth in this Declaration. […]"

So before medical research begins, it is necessary to take into account, among other things, **" the laws and regulations of the country or countries in which the research is to be performed".** Now that this basis is established, to get to the heart of the matter, let's now see what the French laws and regulations are that relate to medical research.
Here is the first one: *"Research organized and carried out on human beings with a view to developing biological or medical knowledge is authorized under the conditions provided for in this book and is designated hereinafter by the terms "research involving the human person".* **There are three categories of research involving the human person:**
1° Interventional research which includes an intervention on the person not justified by their usual care;

2° Interventional research involving only minimal risks and constraints, the list of which is set by order of the Minister responsible for health, after consultation with the Director General of the National Agency for the Safety of Medicines and Health Products;
3° Non-interventional research that does not involve any risk or constraint in which all the acts are performed and the products used in the usual way. […]" *[Article L1121-1, Code de la santé publique Français (translated into English from the original text)].*

Let's complete with this: **"No research mentioned in 1° of Article L. 1121-1 may be carried out on a person without their free and informed consent, obtained in writing, after they have been provided with the information provided for in Article L. 1122. -1. When it is impossible for the person concerned to express their consent in writing, this consent may be attested by the trusted person provided for in Article L. 1111-6, by a member of the family or, failing that, by by one of the relatives of the person concerned, provided that this person of confidence, this member or this relative is independent of the investigator and the sponsor.**
No research mentioned in 2° of Article L. 1121-1 may be carried out on a person without their free, informed and express consent. No research mentioned in 3° of the same article L. 1121-1 may be carried out on a person when he has objected to it. [...]" *[Article L1122-1-1, Code de la santé publique Français (translated into English from the original text)].*

Let's also take into account this other additional text: **"Any adult can appoint a trusted person who can be a relative, close friend or attending physician and who will be consulted in the event that they themselves are unable to express their wishes and receive the information necessary for this end.**
It gives an account of the person's will. His testimony prevails over any other testimony. This designation is made in writing and co-signed by the designated person. It is reviewable and revocable at any time. […]" *[Article L1111-6, Code de la santé publique Français (translated into English from the original text)].*

And let's finish this last text: **"Prior to carrying out research involving the human person, information is delivered to the person who takes part in it by the investigator or by a doctor who represents him.** *When the investigator is a qualified person, this information is provided by him or by another qualified person who represents him. The information relates in particular to:*
1° The objective, methodology and duration of the research;
2° The expected benefits and, in the case of the research mentioned in 1° or 2° of Article L. 1121-1, the foreseeable constraints and risks, including in the event of the research being stopped before completion;
3° In the case of research mentioned in 1° or 2° of Article L. 1121-1, any medical alternatives;
4° In the case of research mentioned in 1° or 2° of Article L. 1121-1, the procedures for medical care planned at the end of the research, if such care is necessary, in the event of premature termination of the research, and in the event of exclusion from the research; […]
6° bis For research for commercial purposes, the methods of payment of compensation in addition to the payment of additional costs related to the research, where applicable, under the conditions provided for in Article L. 1121-16-1;
The person whose participation is sought or, where applicable, the persons, bodies or authorities responsible for assisting or representing him or her or for authorizing the research are informed of his or her right to refuse to participate in the research or to withdraw consent or, where applicable, authorization at any time, without incurring any liability or prejudice as a result. […]"

[Article L1122-1, Code de la santé publique Français (translated into English from the original text)].

Let us emphasize that these legal texts are those that must prevail in matters of medical research in France. Thus, if the French State establishes laws that contravene these bases, the latter are "outlawed" because they are contrary to the French constitution to which they are subject.
Before developing further what we have just read, it is important to note that we have already seen that the marketing of vaccines against covid 19 was, during the entire period when the vaccinal laws against covid 19 were active, in the **"clinical trial** *in large scale"* phase, therefore **"large-scale medical research",** and of a "conditional" character.

In doing so, the vaccines against covid 19 that were marketed in France during the pandemic were therefore directly subject to the rules presented in these texts. Let's go back to these texts.
As you can see, no medical research can be carried out on a person against their will. Interventional research that involves even a minimal risk for a person and especially those that go beyond the usual framework of care cannot be imposed on a person.
The covid 19 vaccines fall within this framework, because we have seen that these drugs were still in the experimental stage during all the sanitary restrictions due to the coronavirus, because they were implemented in 12 to 18 months instead of the usual 10 years, with a "conditional" authorization.

To continue, it is important to note that other legal points presented in these texts are clearly abandoned in France in the context of the administration of the anti-covid 19 vaccine. The first of these is that before a person can receive a drug that is in the research phase, as were the vaccines against covid 19 during the pandemic, they must be given well-targeted information.
Thus, the duration of the research and its terms must be clearly established and presented to those who agree to be vaccinated.
Similarly, clear and precise information must be provided to inform about the foreseeable benefits and risks, before taking this molecule in the research phase. Another important point to note in these texts referred to above is that of finances.

> The groups of laboratories that manufacture vaccines are not philanthropists, who work for free for the good of humanity.

Thus, as they offer a drug that is still at the research stage, therefore experimental, in return all those who use their vaccine in this context should be compensated, because they serve as guinea pigs, which allow these companies to perfect their molecule and to be able, by the same token, to enrich themselves.

Finally, these texts teach us that we have the right to refuse any treatment in the "research phase" and this without any prejudice from this fact being able to affect us.
Which implies that France did not have the right to impose vaccination against covid 19, while it is still at the research stage.

> This reality is more clearly presented in the framework that the European Union has set for the implementation of vaccines or the marketing of drugs that are still in the "clinical trial" phase.

What we have just considered shows us that the European directives, based on the criteria of the "Declaration of Helsinki" concerning the right of each European citizen to informed consent and retraction in the context of participation in medical research, also called a "clinical trial", are not inconsistent with what French legislation has established, quite the contrary.

Indeed, when we first read the " Helsinki Declaration", then we start reading the texts of the French public health code that we have mentioned, we have a feeling of déjà vu.
It is quite simply because these are the bases established by the "Declaration of Helsinki" and that the European Union has taken up in its protocols intended to manage "clinical trials", that we find in these French legislative bases.

> This clearly shows us that France, being subject to Europe and both, to the "Declaration of Helsinki", it cannot at will transgress these bases.

The above leaves no room for doubt, the anti-covid 19 vaccines, which were used during the sanitary crisis, are still in the "clinical trial" phase and therefore their use falls under the scope of the "Declaration of Helsinki".
What is therefore incumbent is that the right to an enlightened consciousness, an essential element in this declaration, had to be taken into consideration and that no constraint had to be exercised to force vaccination against covid 19.

> By extension, for **the "clinical trial", on a large scale,** certainly, but still within the framework of the "clinical trial", the population (mass candidates) had to voluntarily agree to participate or not.

Thus, the articles of the vaccinal laws against covid 19 instituted in the "sanitary and vaccinal pass" and which decreed compulsory vaccination, for all or part of the population, contravened the "Declaration of Helsinki" and not therefore no legal legislative basis, and thereby contravene the *[Articles 4 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)]*, qui établit ce qui suit :
"Art. 4. Freedom consists in being able to do all that does not harm others*:*
Thus, the exercise of the natural rights of each man has no bounds (limits) other than those which assure the other Members of the Society the enjoyment of these same rights.
These bounds (limits) can only be determined by law".

What we experienced in France during the covid 19 pandemic, with the vaccinal requirement that was out of line and scandalous when we see that people were punished by laws that were themselves, from the moment they were applied, null and void.
How then can we impose all these oppressions on the unvaccinated with laws that themselves have a flaw?

> Thus, it is clear that in France, or elsewhere, in this **"clinical trial** *in large scale"* framework, human beings have replaced primates and laboratory mice because they are injected with molecules that are not yet at the final stage of their design and that are not tested enough to know their negative consequences.

Under such conditions, those who agree to be vaccinated against covid 19 use their free will and accept in their soul and conscience the risks incurred, which is what happens to human guinea pigs before a drug is put on the market.

> There, it is their freedom, one of the foundations of the French Republic.

It is also in the name of this freedom, and of the laws governing the Republic, that the French State cannot, but under no circumstances, force human beings to be injected with an experimental substance against their will.

In doing so, as the articles of the laws or decrees which, through the "sanitary and vaccinal pass", have enacted the compulsory vaccination against covid 19 do not have a legal basis determined by an already active law, allowing the compulsory vaccination of all or part of the citizens to be instituted, they must be declared contrary to the French constitution and be repealed and this, according to the criteria established in the *[(French) Loi renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique. Décision n° 2022-835 DC du 21 janvier 2022 – Communiqué de presse].*

12 The reality of the legislative activation of the already programmed obsolescence of the vaccine laws against covid 19

We will now demonstrate to you another unconstitutional nature of the sustainability of the covid 19 vaccine laws that have oppressed the French for months. We have just seen that these laws are without legislative basis, because they contravene the "Declaration of Helsinki" to which the marketing of the vaccines attached to them is subordinate.
Which means that the covid 19 vaccine laws being based on these injections against the coronavirus they are therefore illegal and therefore contravene the French constitution.
In this part, we will highlight other realities, which demonstrate the nonsense and the unconstitutionality of the covid 19 vaccine laws.

To begin, let us look at the reasons on which France relied to institute the "vaccinal pass" and consider in parallel the evolution of science which renders this motivation obsolete. Our first step will be to recall the decision of the Constitutional Council based on certain articles of the French Constitution to declare unconstitutional part of the law intended to implement the "vaccinal pass". To do this, read this:
"Seized of the law strengthening the tools for managing the health crisis, the Constitutional Council admits the conformity with with the Constitution of the provisions subordinating the access to certain places to the presentation of a "vaccinal pass" by imposing that it is put an end to it as soon as it will not be necessary any more and censures the one allowing to subordinate the access to a political meeting to the presentation of a "sanitary pass".
In its decision no. 2022-835 DC of January 21, 2022, the Constitutional Council ruled on the law strengthening health crisis management tools and amending the public health code, which had been referred to it by two appeals from more than sixty deputies and more than sixty senators respectively. […]
For the examination of these provisions, the Constitutional Council recalls that, under the terms of the eleventh paragraph of the Preamble to the Constitution of 1946, the Nation "guarantees to all… the protection of health".
This results in an objective of constitutional value of health protection. *It is up to the legislator to ensure the reconciliation between this objective of constitutional value and respect for the constitutionally guaranteed rights and freedoms.*
Among these rights and freedoms are the freedom to come and go, a component of the personal freedom protected by Articles 2 and 4 of the Declaration of the Rights of Man and of the Citizen of 1789, the right to respect for private life guaranteed by this article 2, as well as the right of collective expression of ideas and opinions resulting from article 11 of this declaration. […]"
[Loi Française renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique. Décision n° 2022-835 DC du 21 janvier 2022 - Communiqué de presse (translated into English from the original text)].

Before developing what is presented here, it is important, for greater clarity, that we also have available the legislative texts which are cited to support this judgment. Here is one of them: **"It guarantees to all, especially to the child, mother and old workers, the protection of health,** *material security, rest and* **leisure."** *[(French) Article 11 du Préambule de la Constitution de 1946 (translated into English from the original text)].*

Let's complete our study with the following: **"Art. 2. The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, safety, and resistance to oppression. […]**
Art. 4. Freedom consists in being able to do all that does not harm others:

Thus, the exercise of the natural rights of each man has no bounds (limits) other than those which assure the other Members of the Society the enjoyment of these same rights. These bounds (limits) can only be determined by law.
"Art. 11. The free communication of thoughts and opinions is one of the most precious human rights:
Every citizen can therefore speak, write, print freely, except to answer for the abuse of this freedom in the cases determined by law." *[(French) Articles 2, 4 et 11 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

Now, with this framework in place, let's continue the argument. The first point that is important to highlight is the importance of the French constitution here, because it is the axis for determining the rights inherent to each French person.
We also note that the implementation and compliance with certain articles of the constitution can be in conflict. As we have already seen, this is what happened in the version that was proposed for the "vaccinal pass". Why?
On one side of the scale was *[(French) Article 11 du Préambule de la Constitution de 1946],* which guarantees every French person health protection.
On the other hand, *[(French) Articles 2, 4 et 11 de la déclaration des droits de l'Homme et du Citoyen de 1789],* guarantee that every citizen must be able to freely express their thoughts and opinions, orally, in writing, etc.
On the other hand, this freedom must not contravene the laws in force and is limited to not doing anything that could harm others. We also note that the limits that are set to individual freedom are only possible if they are defined in a law.

Let us now return to the "vaccinal pass" to understand why we wanted to explain these concepts. These legislative forces set in motion gave rise to "a clash of the titans".
It was necessary to both preserve the health of the French in the face of this pandemic and at the same time not to touch their freedom, which, in this specific context, had not had any limitation provided for by law. With these clarifications provided, let us now take note of the position of the French Constitutional Council on the "vaccinal pass".

With these clarifications in mind, let us now consider the position of the French Constitutional Council regarding the *"vaccinal pass":*
"[…] In this respect, the Constitutional Council notes in particular that the legislator considered that, in the light of the scientific knowledge available to him and which is corroborated in particular by the opinions of the committee of scientists of 24 December 2021 and 13 January 2022, vaccinated persons present much lower risks of transmission of the covid-19 virus and of development of a serious form of the disease than non-vaccinated persons.
[…] In addition, the contested measures can only be taken in the interest of public health and for the sole purpose of combating the epidemic of covid-19 and if the health situation justifies it with regard to the viral circulation or its consequences on the health system, *assessed by taking into account health indicators such as the rate of vaccination, the rate of positivity of the screening tests,* **the rate of incidence or the rate of saturation of the reanimation beds.**
They must be strictly proportionate to the health risks involved and appropriate to the circumstances of time and place. They shall be terminated without delay when they are no longer necessary. [...]" *[Loi renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique. Décision n° 2022-835 DC du 21 janvier 2022 - Communiqué de presse (translated into English from the original text)].*

We see here that the "vaccinal pass**"** has as its sole purpose to fight against the covid-19 epidemic and must have as its epicenter to contribute to **"the interest of public health".**

The objective is to reduce **"the incidence rate or the saturation rate of intensive care beds"** caused by this pandemic.
The "vaccinal pass" was authorized by the Constitutional Council (French), considering the "opinion of the committee of scientists of December 24, 2021 and January 13, 2022", which indicated that covid 19 had a greater impact on the unvaccinated than the vaccinated and could develop "a severe form of the disease" in them.

> In addition, the "vaccinal pass" was supposed to no longer be valid when the epidemic wave was judged to be less virulent.

It is important to note that it is this sanitary context raising fears of a significant risk for the unvaccinated of contracting the severe form of covid 19, with all that this implied, in particular the saturation of intensive care beds, which seems to have been the driving force leading the Constitutional Council (French) to validate the "vaccinal pass".
These are the same arguments that were presented by the French government of Mr. Emmanuel MACRON's first five-year term to justify the implementation of the "vaccinal pass". Let's discover this reality by reading the following: **"[…] To deal with the Delta virus as with the Omicron variant, our best weapon, our only weapon, in reality, is vaccination,** *and the vaccination with 3 doses now. […]*
Because it is not acceptable that the refusal of a few million French people to be vaccinated puts the life of an entire country at risk and affects the daily lives of the vast majority of French people who have played the game since the start of this crisis, we have decided with the President of the Republic that a bill will be submitted to Parliament at the beginning of January, in particular to transform the "sanitary pass" into a "vaccinal" pass […]"
[Service Communication. Hôtel de Matignon, le 17 décembre 2021, déclaration de M. Jean CASTEX, Premier ministre. Mesures de lutte contre la COVID-19 (translated into English from the original text)].

In this statement, the French Prime Minister Mr. Jean CASTEX presents vaccination as the "best weapon", the "only weapon" against covid 19 and its variants, which is why the bill on the "vaccinal pass" was born and then adopted. Thus, this "vaccinal pass" existed because the only alternative to fight the coronavirus would have been the vaccine.
Therefore, if another drug were to appear, this "vaccinal pass" would no longer have any reason to exist!
The following allows us to say that since the beginning of February 2022, there was no longer a single alternative, vaccination against covid 19, since there was now another medicinal possibility to combat this virus with the appearance of a new drug, which is an additional possibility to combat covid 19. (see production no. 38).
The information concerning this new drug is mentioned in the text *[Covid-19: accès précoce accordé au Paxlovid® en traitement curatif. Taken from: https://www.has-sante.fr/jcms/p_3311074/fr/covid-19-acces-precoce-accorde-au-paxlovid-en-traitement-curatif (translated into English from the original text)]* which establishes the following:
"[...] In the context of very high circulation of SARS-CoV-2, the **High Authority for Health (HAS) and the National Agency for the Safety of Medicines and Health Products (ANSM)** *remain mobilized to allow patients the earliest possible access to innovative treatments for Covid-19. […]* **In addition to vaccination,** *the most effective lever to avoid severe forms,* **drug treatments are now validated to provide a complementary solution to the most vulnerable people.**
Following the opinion of the ANSM, the HAS authorizes early access to the Paxlovid® treatment (nirmatrelvir/ritonavir) from the Pfizer laboratory for adults with Covid-19 not requiring oxygen therapy and at high risk of progression to a grave form of the disease. At the same time, HAS is publishing Rapid Responses to support the arrival of this treatment in community medicine from the end of January. […] Three treatments consisting of monoclonal antibodies are already covered in a derogatory way in France: Ronapreve®, Evusheld® and Xevudy®.

Today, the HAS gives the green light to the use of Paxlovid®. This antiviral is indicated for adults infected with SARS-CoV-2 who do not require oxygen supplementation and who are at high risk of progression of their infection to a severe form of the disease. […]
HAS recalls that Paxlovid® is not intended to be used as a substitute for vaccination against SARS-CoV-2. HAS validates the use of Paxlovid® in the curative treatment of Covid-19 Paxlovid®, nirmatrelvir/ritonavir, is the first anti-SARS-CoV-2 antiviral to obtain early access authorization.
[…] It is recommended to administer it as soon as possible after the positive diagnosis for Covid-19 and at most within five days of the onset of symptoms. *This treatment targets the enzyme necessary for viral replication, the 3C-like protease, and by inhibiting its action, it blocks the replication of SARS-CoV-2 in the body. […]*
The data available to assess the efficacy of this treatment demonstrated a reduction in the risk of progression to a severe form of Covid-19 (hospitalization or death) of approximately 85.2% (EPIC-HR study) after its administration. The HAS also emphasizes that the presentation of Paxlovid® in the form of tablets *facilitates its accessibility in town. […].*
The Paxlovid® is the first Covid-19 treatment that will be available in the city and can be prescribed by general practitioners. […]
If the patients have no contraindications, **the HAS recommends prescribing Paxlovid® for adult patients at risk of a severe form of Covid-19, that is to say:**
– **whatever their age and status vaccine, adult patients who are severely immunocompromised or who present with a pathology at very high risk of a serious form (in particular cancers undergoing treatment, polypathologies, trisomy 21 or certain rare diseases;**
– **The patients over the age of 65 with risk factors for developing serious forms (***diabetes, obesity, chronic renal failure, heart failure, arterial hypertension, respiratory failure, etc.***), in particular when these people are not or are not fully vaccinated. […]".**

Here we discover this new drug, **"Paxlovid®, nirmatrelvir/ritonavir",** which is an additional possibility to fight covid 19, **marketed in the form of tablets.** This drug, the positive and negative effects of which were not yet fully known when it was marketed, was placed on the market with early access authorization.
But there is nothing really new since it is exactly the same pattern that existed then for vaccines against covid 19. In addition, this new drug is dispensed by our general practitioner, the most able to know our medical history.

Now that this basis is established, one of the points that we would like to emphasize is that the High Authority of Health (HAS) and the National Agency for the Safety of Medicines and Health Products (ANSM) present "Paxlovid" as not being intended to replace vaccination against covid 19, but to complement it. Let's review what is said on this subject:

> **"[…] In addition to vaccination,** *the most effective lever to avoid severe forms, drug treatments are now validated […]*
>
> **HAS recalls that Paxlovid® is not intended to be used as a substitute for vaccination against SARS-CoV-2. […]".**

At first glance, when reading these lines, what appears to us is that "Paxlovid" cannot be used as a substitute for vaccination, because it is a complement to it.
The feeling that one can have when reading this text is that if we use this new drug alone, it is not active enough to fight against covid 19, in doing so it must be combined with a vaccine to give effective results.
This reading is due to the term "In addition to vaccination" which is used here. Although this reality seems to be the one that this text presents, nevertheless it is not! To understand it we must return to what is specified by rereading the following:

> *"If the patients have no contraindications* **[...] whatever their age and status vaccine […]**
> *The patients over the age of 65 with risk factors for developing serious forms […]* **in particular when these people are not** *or are not fully* **vaccinated […]".**

Here we discover that "Paxlovid" is also, according to certain criteria, intended for people who are not vaccinated.
In addition, in the text from which this extract is taken, it is specified that those who received this molecule, therefore among others the unvaccinated, had approximately **85.2%** chance of not being **hospitalized or dying** following an infection by covid 19.

Thus, if we take in particular the case of the unvaccinated, those who were infected with covid 19 were cured thanks to "Paxlovid" and this, without the vaccine against covid 19 having to act, because it did not exist in their body. In doing so, this new drug is not a complement – in the sense of acting in addition to or with – to the vaccination against covid 19, because it has the capacity to act alone against the virus.
In view of what is presented about this new drug, we can therefore say that "Paxlovid" is an alternative to vaccination against covid 19, because it is capable, for a certain type of patient, of fighting the coronavirus alone.
It should be noted, and this is clearly displayed, that this new drug is not intended to replace the vaccine. Nevertheless, it is a choice that is offered, either to be vaccinated, or, if one is in the right medical "canvas", to take "Paxlovid".

It is important to note another point, that this drug is intended for those who are already weakened by certain comorbidities, therefore those who, in general, are most at risk of developing a serious form of the disease with hospitalization or even death. These are, among others:

> **"[…] Adult patients who are severely immunocompromised or who present with a pathology at very high risk of a serious form (in particular cancers undergoing treatment, polypathologies, trisomy 21 or certain rare diseases;**
> **The patients over the age of 65** *with risk factors for developing serious forms* **(diabetes, obesity, chronic renal failure, heart failure, arterial hypertension, respiratory failure, etc.),** *in particular when these people are not or are not fully vaccinated. […]".*

Here we find this population called at risk and reported since the beginning of the pandemic. According to the bases presented by the Constitutional Council and which allowed it to act on the implementation of the "vaccinal pass", it is this population which, once contaminated, very often finds itself in respiratory distress with the need for hospitalization.
We can therefore conclude that in the majority, these people constituted the observed hospital overpopulation. Let's continue the development.

We learn that a person who already has one of the targeted pathologies, whether vaccinated against covid 19 or not, has, from the administration of this medication, approximately 85.2% less risk of having **"a severe form of Covid-19",** which prevents their **"hospitalization or death".**
Indeed, even if this medication is presented as a complement to the vaccination against covid 19, it seems to have the capacity to act against the coronavirus autonomously, without being combined with a vaccine.

Therefore, for the people at risk mentioned above, this medicine is a new possibility of receiving treatment, from the start of contamination, without having to resort to vaccination.
To continue, let us note that the *"Paxlovid"* is also marketed in America. Let's see what the situation is in the United States:

“Today, the U.S. Food and Drug Administration issued an emergency use authorization (EUA) for Pfizer’s Paxlovid (nirmatrelvir tablets and ritonavir tablets, co-packaged for oral use) for the treatment of mild-to-moderate coronavirus disease (COVID-19) in adults and pediatric patients (12 years of age and older weighing at least 40 kilograms or about 88 pounds) *with positive results of direct SARS-CoV-2 testing, and who are at high risk for progression to severe COVID-19, including hospitalization or death.*
Paxlovid is available by prescription only and should be initiated as soon as possible after diagnosis of COVID-19 and within five days of symptom onset.
“Today’s authorization introduces the first treatment for COVID-19 that is in the form of a pill that is taken orally — a major step forward in the fight against this global pandemic,” said Patrizia Cavazzoni, M.D., director of the FDA’s Center for Drug Evaluation and Research.
“This authorization provides a new tool to combat COVID-19 at a crucial time in the pandemic as new variants emerge and promises to make antiviral treatment more accessible to patients who are at high risk for progression to severe COVID-19.” […]
The FDA has approved one vaccine and authorized others to prevent COVID-19 and serious clinical outcomes associated with a COVID-19 infection, including hospitalization and death. […]
Paxlovid consists of nirmatrelvir, which inhibits a SARS-CoV-2 protein to stop the virus from replicating, and ritonavir, which slows down nirmatrelvir’s breakdown to help it remain in the body for a longer period at higher concentrations.
[…] The primary data supporting this EUA for Paxlovid are from EPIC-HR, a randomized, double-blind, placebo-controlled clinical trial studying Paxlovid for the treatment of non-hospitalized symptomatic adults with a laboratory confirmed diagnosis of SARS-CoV-2 infection. Patients were adults 18 years of age and older with a prespecified risk factor for progression to severe disease or were 60 years and older regardless of prespecified chronic medical conditions. **All patients had not received a COVID-19 vaccine and had not been previously infected with COVID-19.**
The main outcome measured in the trial was the proportion of people who were hospitalized due to COVID-19 or died due to any cause during 28 days of follow-up.
Paxlovid significantly reduced the proportion of people with COVID-19 related hospitalization or death from any cause by 88% compared to placebo among patients treated within five days of symptom onset and who did not receive COVID-19 therapeutic monoclonal antibody treatment. […]”
[US Food & Drug Administration. Coronavirus (COVID-19) Update: FDA Authorizes First Oral Antiviral for Treatment of COVID-19. Taken from the website: https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-fda-authorizes-first-oral-antiviral-treatment-covid-19].

Let's do a comparative study of the positive results collected during the trials of **“Paxlovid”,** drug against covid 19, on the one hand by America and on the other hand, by Europe. For the United States, the reported positivity rate is **88%.**
Thus, these clinical trials have shown that this drug has reduced by 88% “the proportion of people hospitalized or died”.
For Europe, as we have seen, this figure is **85.2%.** Thus, these two giants that are America and Europe each decree, on their own, that this drug is more than **80%** reliable, this is a convincing result. According to what is said, in America too, “Paxlovid” is administered as a curative treatment, as soon as symptoms related to covid 19 appear.
With the conclusions displayed on its effectiveness, we can also say of this drug that it is a powerful weapon to fight the pandemic.

Thus, from the marketing of “Paxlovid” combined with vaccination, a response to the pandemic was found in Europe and the United States.

To continue, let us reconsider the reasons presented by the Constitutional Council to establish the legitimacy of the “vaccinal pass” and let us show what should make it obsolete. Here is our analysis: *What are these reasons?:*

> – The saturation of hospital intensive care beds by a majority of unvaccinated people who, according to studies, are most likely to develop serious forms of covid 19.
>
> – The existence of the vaccine, as the only possibility of protecting against this virus and avoiding hospital overcrowding. Let us recall, however, that this “vaccinal pass” being conditional on this critical situation, well specified in the law, it had to disappear as soon as these conditions were no longer met.
>
> Indeed, outside of this context, it will no longer be possible to oppose *[(French) Article 11 du Préambule de la Constitution de 1946]* which gives every French person the right to claim protection of their health, to *[(French) Articles 2, 4 et 11 de la déclaration des droits de l'Homme et du Citoyen de 1789]* which present the right of every French person to enjoy their freedom, their leisure time and to be able to freely present their ideas in public.
>
> In doing so, if vaccination against covid 19 is no longer the “only weapon” against the corona virus, the balance between these two poles of the French Constitution would no longer be observed, and by extension the vaccination obligation established in the “vaccinal and sanitary pass” would contravene the constitution and should therefore be repealed.

Thus, with the arrival of “Paxlovid” the reason for the “vaccinal pass” and the obligation to vaccinate against covid 19 mainly related to the reasons presented above, as the latter were no longer valid, they have therefore become obsolete and unconstitutional.
Yes, because the freedom of expression and communication of the French cannot be hindered “à la carte (at choice)”, to meet particular objectives in a “fashioned” framework. This reality is evident to us in the bases that the members of the Constitutional Council (french) established to allow the “vaccinal pass” to see the light of day.
They had to play tightrope walker by walking on a tightrope, because on each side was a dangerous precipice that could have been fatal to them. On one side were the rights of the French to be protected and cared for and on the other were their rights to freedom and above all, the right to be able to share their convictions with others.
This balance when it is broken and on one side of the scale there is a constitutional article that weighs more than the other, there is a conflict, and the result is that the law that generates this is declared unconstitutional. Isn't this what we have seen in the context of political meetings? Thus, when vaccines against covid 19 were the only recourse, they could be considered a vital necessity and in doing so, to fight the pandemic, it could seem **neither disproportionate nor inappropriate** to maintain the “sanitary and vaccinal pass”.

Being the only bulwark against the pandemic, vaccines against covid 19 could have, until then, had every reason to exist, but since the date of marketing of “Paxlovid”, therefore at the **end of January 2022,** when it was marketed and administered under the conditions indicated above, and knowing that it makes it possible to counter mass hospitalization or the death of infected people, from this period the obligation to vaccinate against covid 19 became unsuitable, and was no longer absolutely necessary.
Thus, we could say that the measures which had led the Constitutional Council (French) to set up the “vaccinal pass” no longer had any reason to exist since the **beginning of February 2022**, since, with this new alternative, “Paxlovid”, the influxes into hospitals and mass deaths were decreasing. In addition, we know that being vaccinated does not immunize against covid 19. Let us now return to this new drug.
Here is how we translate the comparison between the covid 19 vaccine and him:

> A vaccine, whether against covid 19 or not, must be injected before the virus attacks the body. It is taken upstream so that our body can create antibodies. In the event of contamination, these antibodies will fight the virus.

However, if the body is not strong enough, the virus will take over without the body being able to have any other help that can support it.
In the context of “Paxlovid” it intervenes when the virus is already active in the body and the “fight” is continuous in order to defeat it. The objective of the “vaccinal pass” being to prevent the saturation of intensive care beds and to protect the unvaccinated against serious forms of covid 19, with the arrival of this drug, “Paxlovid” in France, we are no longer in the same configuration.
The figures collected from the trials carried out show, let us recall, “85.2% of those contracting covid 19, as being preserved thanks to this new drug from severe forms of the disease, which prevents hospitalization and deaths.”

Based on what we have just seen, we understand that despite this new alternative, which is “Paxlovid” which was marketed in France from the end of January 2022, (see production no. 38), the French government has endeavored (he wanted at all costs) to continue the vaccinal obligation against covid 19. In mainland France, this obligation remained until **March 14, 2022** and until **April 9, 2022,** in the Antilles, particularly in Martinique, which prevented Mr. MARGUERITE for several weeks from working by holding seminars, while the reasons which led the Constitutional Council to accept, for a time, that the “vaccinal pass” be in force, no longer had any reason to exist.
Thus, highlighting the existence of this drug is of interest, that of demonstrating that the bases on which the “vaccinal pass” was based could no longer, since the marketing of “Paxlovid”, i.e. towards the end of January 2022, be invoked to legitimize this law, as well as the obligation to vaccinate against covid 19 that it carries.

In doing so, with this new drug, the French government could no longer argue, since the beginning of February 2022, that only vaccination against covid 19 could protect against serious forms of the corona virus. From then on, it was no longer justified to present the “vaccinal pass” as the only weapon against covid 19 and its variants.

Thus, from the beginning of February 2022, with the marketing of “Paxlovid”, the laws establishing the “sanitary and vaccinal pass” should have been repealed, but they were still valid for several weeks.
With all this in mind, as the laws that carry the “vaccinal pass”, as well as the “sanitary pass” continued to have legitimacy and to be applied, during several weeks, despite everything, to be imposed by force on the French and this, with all the consequences that they engender,, they have in particular generated total discrimination against the unvaccinated, therefore against Mr. MARGUERITE, because of the possibility of opting for a solution other than the vaccine. This possibility of choosing in one's soul and conscience the medication that one will receive, is moreover enacted in French legislation.
For this purpose, I invite you to reread this text, already presented: *“Prior to carrying out research involving the human person, information is delivered to the person who takes part in it by the investigator or by a doctor who represents him. […]*
3° In the case of research mentioned in 1° or 2° of Article L. 1121-1, any medical alternatives […]” *[(French) Article L1122-1, Code de la santé publique Français (translated into English from the original text)].*

Let's take a look at what these two parts cover: **“There are three categories of research involving the human person:**
1° Interventional research which includes an intervention on the person not justified by their usual care;
2° Interventional research involving only minimal risks and constraints, the list of which is set by order of the Minister responsible for health, after consultation with the Director General of the National Agency for the Safety of Medicines and Health Products […]” *[(French) Article L1121-1, Code de la santé publique Français (translated into English from the original text)].*

Let's not lose sight of the fact that during this entire period when the coronavirus vaccinal requirement was in force, the covid 19 vaccines were still in the “clinical trial” phase, i.e. medical research. Thus, as soon as French people are involved in this type of approach, they must be offered the medical alternatives that are available to them.
As you can see, French law presents the choice of drug protocols as a right that the French have, and so with the arrival on the market of **“Paxlovid®, nirmatrelvir/ritonavir”,** the French government could no longer allow the vaccinal requirement to continue, for whatever reason.

Since **Liberty** is one of the three foundations (mottos) of the French Republic, every French person must be able to choose in their soul and conscience the medication they wish to take for their health, especially when it is part of the proposals offered to them.
In this regard, the vaccination obligation against covid 19 was for weeks “going against the grain” in France, because with the “Paxlovid”, another alternative has already existed since the end of January 2022, but the compulsory vaccination established in the “vaccinal and sanitary pass” has continued, meaning that once again, French legislation has contravened the law. All this allows us to draw the following conclusion:

> If the “vaccinal pass” was validated by the Constitutional Council (French) to meet certain requirements, as soon as these conditions are no longer the same, it becomes obsolete and must be abolished.

Based on this, the articles of law relating to the “vaccinal and sanitary pass”, which imposed vaccination on all or part of French citizens when there was an alternative in the form of the drug **“Paxlovid”** should have been repealed as soon as it was put on the market. These instruments, which are the “vaccinal and sanitary pass”, were established for a time and therefore, they no longer had any reason to exist in France.
Thus, the vaccinl laws against covid 19 must not be suspended, as is currently the case in France, but they must be definitively repealed!
Based on everything we have just seen, we therefore understand that the vaccinal obligation which was extended for the period from the end of **January 2022 until March 14, 2022** in metropolitan France and until **April 9, 2022,** in the Antilles, while "Paxlovid" was already on the market, contravened the following texts:

- *[(French) Article 11 du Préambule de la Constitution (Française) de 1946],*
- *[(French) Articles 2, 4 et 11 de la Déclaration des Droits de l'Homme et du Citoyen de 1789].*

What Mr. MARGUERITE presents in these lines should, he thinks, challenge the members of the Constitutional Council (French), because let us remember, it is they who established in the text seen in the introduction to this part the limit that had to be given for the sustainability of the vaccinal laws against covid 19.

> Today, you, the members of the Constitutional Council, as guardians of the constitution, where are you in this matter? When you give a limit to the vaccinal laws against covid 19, established on the basis of the French constitution, once this limit, in the sustainability of this legislation is reached, can the Head of State and his government, at their discretion, disregard all rules and base themselves on a legislative measure that has become unconstitutional?
> Mr. MARGUERITE seriously questions the precedent that this has created? From now on, are a President of the Republic and his government above the constitution (French), therefore above the Constitutional Council (French)?
> If this is the case, what is the point of having guardians of the constitution?

Mr. MARGUERITE wonders about all this! Certainly you, the wise, will be able to answer Mr. MARGUERITE on his questions, because he is only a simple citizen, who seeks to defend himself, in doing so, certainly, that his pain prevents him from being objective and lucid, perhaps you have answers that have not appeared to him at all?

13 Reality of the unconstitutional nature of the vaccinal laws against covid 19, which contravene the right of Mr. MARGUERITE, as a Frenchman, not to be vaccinated against Covid 19 because of his faith:

One of the areas that has not been taken into consideration in France, with a view to allowing those concerned not to have to be vaccinated against covid 19, is that of beliefs or faith. It is very likely that our words will be considered as nonsense, nevertheless, those who are criticized and called “conscientious objectors” to the vaccination against covid 19, have a European legislative framework, which normally protects them.
And now, let's take note of this text: **“For its part, the Parliamentary Assembly of the Council of Europe adopted Resolution 2361 (2021)3 on January 27, 2021, on the report of Ms. Jennifer de Temmerman, a French deputy, which calls for not making vaccination against SARS-CoV-2 compulsory, either directly or by disproportionately restricting the rights and freedoms of unvaccinated persons.**
The Assembly relies on Article 8 of the European Convention on Human Rights concerning the right to respect for private life and on Article 9 concerning freedom of thought, conscience and religion. *If it recognizes that none of these rights are absolute and that limitations can be applied to protect public health, it recalls that these restrictions must be necessary and proportionate.*
In addition, it considers counterproductive to want to impose vaccination”. *[Extract of: Commission des affaires européennes du Sénat. Actualités Européennes. N°67, 21 juillet 2021. Obligation vaccinale et pass sanitaire: position de l'Union Européenne et du Conseil de l'Europe (translated into English from the original text)].*

Before coming to the reality of faith, in the context of the refusal to be vaccinated against covid 19, let us take the time to highlight other vital realities, because this text is rich in lessons.
Indeed, it is said that to protect public health, limitations can “crop” the rights of individuals, however they **“must be necessary and proportionate”.**
Had we reached this point of no return in France?

> Where was, during the pandemic, the need to force the unvaccinated to opt for vaccination against covid 19 when the vaccinated are not immune to this virus?
> Furthermore, is it not disproportionate that doctors, nurses, healthcare workers, firefighters, etc., essential links in the fight against the pandemic, were, during the sanitary crisis, forced into unemployment and deprived of income? Which is counterproductive, as the text we have just read underlines!

This reality of the essential role of caregivers in the fight against this pandemic is very well presented, in the following text, by the Prime Minister, *Mr. Jean Castex:*
“For almost 2 years, our caregivers have been fighting foot by foot against the virus, against these successive waves and this feeling of an endless fight. They are our heroes, and we owe them a lot.
First, we owe them our gratitude for their commitment during the holidays, as they will continue to be tirelessly on deck.” *[Service Communication, Hôtel de Matignon, le 17 décembre 2021. Déclaration de M. Jean CASTEX, Premier ministre. Mesures de lutte contre la COVID-19 (translated into English from the original text)].*

Here the Prime Minister highlights the titanic fight that caregivers have waged against this unprecedented Coronavirus pandemic.
In the words of the President of the Republic, the fight against this terrible scourge has been likened to “a war”.
In light of these positions, we can only be doubtful and ask ourselves the following questions:

Is it normal in times of war to leave our elite soldiers, who are seasoned and trained in combat, in the barracks?
Or is it customary to leave our best players on the bench when the opponent is of herculean strength?

After all the praise and greetings for our caregivers, how can we understand that they were prevented from working for months if they did not comply with the mandatory vaccination against covid 19 resulting from laws that are illegal, unfounded and therefore unconstitutional. Now that this point has been highlighted, let's get to our theme.
To do this, let's take a look at **"Article 9 of the Convention on Human Rights relating to freedom of thought, conscience and religion"** cited in this text referred to above.

This is one of the dimensions highlighted by the European Union to justify that the vaccinal against COVID obligation is not extended to everyone.

However, it is clear that this reality is not enacted in French legislation since none of the vaccinal laws against covid 19, whether translated by the "sanitary pass" or the "vaccinal pass" have been enacted in this sense.
To fully understand what should have been put in place, we invite you to meet a good student in this area, America. This informs us:
"[…] In addition, if the vaccination, and/or testing for COVID-19, and/or wearing a face covering conflicts with a sincerely held religious belief, practice or observance, a worker may be entitled to a reasonable accommodation.
Such accommodations exist independently of the Occupational Safety and Health Act and, therefore, OSHA does not administer or enforce these laws. Examples of relevant federal laws under which an accommodation can be requested include the Americans with Disabilities Act (ADA) and Title VII of the Civil Rights Act of 1964.
For more information, the note refers to a resource produced by the **Equal Employment Opportunity Commission (EEOC), which is responsible for enforcing federal laws that prohibit employment-related discrimination based on a person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability, or genetic information. […]".**
[Extract of: Billing code: 4510-26-P, department of Labor Department, Occupational Safety and Health Administration; 29 CFR Parts 1910, 1915, 1917, 1918, 1926, and 1928 (Docket No. OSHA-2021-0007) RIN 1218-AD42, COVID-19 Vaccination and Testing; Emergency Temporary Standard. Acengy: Occupational Safety and Health Administration (OSHA), Department of Labor].

Let's complete with this other text: *"On September 9, 2021, President Biden announced "a new plan to require more Americans to be vaccinated." […]* **The Standard thus encourages vaccination, but permits employers to adopt a masking-or-testing policy instead. [...]** *Further, the Standard does not apply in a variety of settings. […]*
It makes exceptions based on religious objections or medical necessity". *[Extract of: Supreme Court of the United States Nos. 21A244 and 21A247 National Federation of Independent Business, ET AL., applicants 21A244 v. Department of Labor, Occupational Safety and Health Administration, ET AL. OHIO, ET AL., applicants 21A247 v. Department of Labor, Occupational Safety and Health Administration, ET AL. On applications for stays (January 13, 2022) PER CURIAM].*

The first text is an excerpt from the first draft of the bill to force American companies that employ more than one hundred employees to refuse to accept people who have not been vaccinated against covid 19.
The second text presents the law that was validated. It is clear that from the beginning, the religious aspect or the practice of faith was already taken into consideration. The only caveat that was put forward to be eligible for non-vaccination against covid 19 was that you had to have a **"sincere religious observance".**

So you couldn’t advocate being an atheist and suddenly declare yourself religious.
Thus, in America, the problem of not wanting to be vaccinated against covid 19 because of our faith or religion does not arise, because their constitution has been adapted so that American citizens cannot be worried about their faith by legislative texts that would oppress them in a discriminatory way.
On the other hand, in Europe, especially in France, **“the country of human rights”,** no such clear provision has been established, with regard to compulsory vaccination against covid 19.
Certainly, as we will see, rights exist on religious freedom at the level of European legislation, unfortunately, they have not been taken into account by certain countries such as France, within the framework of the compulsory vaccination against covid 19.

To continue, we will tell you that we are aware that it may be difficult for some to understand that because of their religious beliefs, some French people, including Mr. MARGUERITE, refuse vaccination against covid 19.
Their behavior is accused of magico-religious. However, we will see it, French and European legislators have recognized the legality of religious freedom and the absence of discrimination that should be attached to this principle. It is therefore the strictest right of those who have this position and they do not have to justify themselves.
To try to enlighten you, we will now present to you the realities linked to Mr. MARGUERITE's faith and which prohibit him from being vaccinated against covid 19.
To begin, we invite you to read the following text: *“Know ye not that ye are the temple of God,* **and that the Spirit of God dwelleth in you? If any man defile the temple of God, him shall God destroy. For the temple of God is holy, and ye are that temple”.** *[1 Corinthians 3 verses 16-17, 21st Century King James Version Bible (KJ21)].*

Let’s complete our study with this other text: **“But the one who is united and joined to the Lord is one spirit with Him. […] Do you not know that your body is a temple of the Holy Spirit who is within you, whom you have [received as a gift] from God, and that you are not your own [property]?** *You were bought with a price [you were actually purchased with the precious blood of Jesus and made His own]. So then, honor and glorify God with your body”. [1 Corinthians 6 verses 17, 19-20, Amplified Bible (AMP)].*

These texts present Mr. MARGUERITE's convictions regarding his body as a Christian and which explain why he does not wish to be vaccinated against covid 19.
For him, his body is the temple of the Spirit of God and he is responsible before the Lord for what he does with it. Thus, it is up to Mr. MARGUERITE to refuse to absorb any molecule that could harm him, if he does not have full knowledge of the risks involved, especially since during the period of compulsory vaccination against covid 19 in France, the vaccines were still in the experimental phase, let's not forget.

Now that these bases are laid, let's discover the following reality that is attached to the anti-covid 19 vaccine, by reading the text [Institut Pasteur. Post: Covid-19: Un vaccin à ADN. Tiré du site de: https://www.pasteur.fr/fr (translated into English from the original text)] which establishes the following:
“Among the vaccines against SARS-CoV-2 (responsible for the Covid-19) developed at the Institut Pasteur, the DNA vaccine is undoubtedly the most innovative in its approach because no vaccine based on this technology has yet been marketed* (for humans).
The principle: Inject a fragment of DNA into human cells. These cells recognize this DNA fragment, and transcribe it into a fragment of RNA capable of inducing the manufacture of the SPIKE protein of the SARS-COV-2 virus.
This surface protein of the virus, which forms spicles all around its envelope, is the virus input key in the cell. With this DNA vaccine, our cells become transiently from the factories that produce the SPIKE protein.

This protein will then be recognized by the immune system, which will, for example, manufacture antibodies to neutralize and thus prevent infection when it comes up. **This vaccine approach has made it possible to obtain promising results during experiments on animal models. […]"**

First of all, we would like to highlight the seriousness of the text that we have just presented to you, because it comes from the Pasteur Institute website, so the source is reliable!

> In this text, we learn that one of the types of vaccines marketed against covid 19 is largely a new experimental technique, which has the capacity to impact our DNA. The Pasteur Institute calls it a **"DNA vaccine".** This type of vaccine is called **RNA.**

Once this vaccine is injected, it takes "the commands" transforms the cells of those vaccinated against covid 19 into factories that produce the molecules that the vaccine orders, the Spike protein. It is important to note that before this pandemic, this type of vaccine was only experimental, it had never been tested on humans but only on animals.
Thus, the negative repercussions of this type of process are not yet fully known. So, what are the interactions between the RNA vaccine and DNA?
Many questions remain, for the moment unanswered since the effects, at this experimental stage, are mostly unknown.

> In addition, we cannot fail to be challenged by the scientific approach of some doctors, and not the least, who call for caution by emphasizing that this protein production can be dangerous because it can lodge in all the organs of the body. Faced with the unknown, it is the most absolute right of Mr. MARGUERITE to refuse to be vaccinated, in the current state.

It is true that there are other types of vaccines (with viral vector) that are developed according to a so-called classic vaccine technology against covid 19, and one of them is **Janssen** also called **Johnson & Johnson.** We are talking about it because a mishap happened to one of Mr. MARGUERITE's friends, concerning this vaccine.
Based on the information she received, she consciously chose to get vaccinated with the Janssen vaccine because she was wary of RNA technology. In addition, the single-dose injection of this vaccine was not something she disliked.
So, she thought that once vaccinated, she would be free of all the fuss surrounding vaccination against covid 19. So she got her "sanitary pass".

But then she was surprised to find out the following: **"[...] With regard to the "Covid-19 vaccine Janssen" vaccine, 28 days after administration of a dose.**
For the purposes of section 47-1, persons who have received the vaccine referred to in this paragraph must, **in order for their vaccination schedule to continue to be recognized as complete as of December 15, 2021, have received an additional dose of a messenger ribonucleic acid (RNA) vaccine [...]".** *[Article 2-2, du Décret n° 2021-699 du 1er juin 2021 prescrivant les mesures générales nécessaires à la gestion de la sortie de crise sanitaire (translated into English from the original text)].*

First of all, we must not lose sight of the fact that the marketing protocol for the Janssen vaccine against covid 19 was, at the time of publication of this French legislative text, established so that it could be injected in a single dose.
While we can understand that while being in the experimental phase of vaccines against covid 19, the statements can evolve with the feedback of the data collected and that the single dose is no longer considered effective, we understand less well this injunction that is made by France for a booster based on **messenger RNA.**
This, especially since in other countries, this Janssen vaccine could be used as a booster.
It is true that this vaccine was withdrawn from the American market for a time, for investigation because of the cases of thrombosis noted.

But, can't we say the same of AztraZneca (another viral vector vaccine)?

Fortunately, the booster dose was subsequently possible with Janssen, in fact, only in theory since this same friend of Mr. MARGUERITE that we mentioned was recalled twice by the vaccination center to postpone the appointments set for his call-back.
The reason given was that priority was given to first-time vaccinees and she was told that if she wanted to take her booster that she could also use Pfizer.
In the meantime, she preferred to cancel her appointment altogether. Thus, the first injection is given with Janssen, as an incentive to get vaccinated.

And then? Mr. MARGUERITE still wanted to tell this story, because there are things that are beyond his understanding!

To continue, we will tell you that we have already seen that Europe has granted **conditional marketing authorization** for vaccines against covid 19, whether they are based on messenger ribonucleic acid (RNA) or “classic”. We also know that all these vaccines were still in the research phase during the period of compulsory vaccination against covid 19 in France.
Thus, the reality that remains is that the vaccine against covid 19, although it is said to strengthen the immune defenses, will, in one way or another, impact our body and the repercussions cannot yet be fully appreciated today.

So, over time, if we stick to the ten years of experimentation normally devoted to the vaccine, what will happen?

With all this in mind, we will tell you that Mr. MARGUERITE's conviction is that we take a drug in order to cure, and for the moment, if these reasonable doubts persist, why put pressure on vaccination against covid 19 when nothing has been proven with certainty?

Mr. MARGUERITE should have, in this case, during the pandemic, had the choice of whether or not to opt for vaccination against covid 19, of course by applying barrier gestures to protect others as well as himself.

It is important to understand that Mr. MARGUERITE's faith, imposed on him, in this precise context, to act as he did. Indeed, if he had chosen to act according to pressure, to the detriment of his convictions, he would sin before God, because the Holy Scriptures display it in the text of *[Romans 14 verse 23],* that everything that is not the fruit of a conviction is sin.
Thus, in the state of things during the pandemic due to covid 19, he did not have the conviction that he had to be vaccinated, in doing so, doing it anyway just to be able to work would go against his convictions and he would sin.

To continue, we will tell you that the two previous biblical texts reported in this part, present a reality that has a very strong psychological significance for believers, because we are told that the Lord will destroy those who destroy his temple, which is our body.
So, when a law is passed to force the French to be vaccinated against their will, moreover with a product, still in the experimental phase, under penalty of losing his job, it is Mr. MARGUERITE's faith that is flouted.

His basis of faith, not allowing him, during the pandemic, to be vaccinated against covid 19, with experimental vaccines, in doing so, no State could force him to do otherwise, in accordance with the legislative texts, European and French that we are going to present to you and which recognize the right of each European and French citizen not to suffer any discrimination with regard to their religious belief.
The first text is as follows: **“1° Any direct or indirect discrimination** *based on actual or supposed membership or non-membership of an ethnic group or race* **shall be prohibited** *in matters of social protection, health, social benefits, education, access to goods. [...]*

2° Any direct or indirect discrimination based *on sex, actual or supposed membership or non-membership of an ethnic group or race,* **religion or belief,** *disability, age, sexual orientation or identity or place of residence* **is prohibited with regard to membership and involvement in a trade union or professional organisation, including the benefits provided by such organisation, access to employment, employment, vocational training and work, including freelance employment or self-employment, as well as working conditions and professional promotion.**
This principle shall not preclude differences of treatment based on the grounds referred to in the preceding paragraph where they meet an essential and determining occupational requirement and provided that the objective is legitimate and the requirement is proportionate". [Article 2, loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations(translated into English from the original text)].

Let's end with this: **"1. Everyone has the right to freedom of thought, conscience and religion;** *This right includes freedom to change one's religion or belief and freedom,* **either alone or in community with others and in public or private,** *to manifest one's religion or belief, in worship, teaching, practices and observance.*
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others". *[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1-2 (translated into English from the original text)].*

Prenons aussi en compte ce texte qui établit ce qui suit : **"1 The enjoyment of any right set forth by law shall be secured without discrimination** *on any ground such as sex, race, colour, language,* **religion**, *political or other opinion, national or social origin,* **association with a national minority, property, birth or other status.**
2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1". *[Extract from: "Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, articles 1 et 2 "Interdiction générale de la discrimination"" (translated into English from the original text)].*

Consider also this other text: **"No one should be disturbed for his opinions, even religious ones, provided that their manifestation does not disturb the public order established by the Law."** *[Article 11 Déclaration des Droits de l'Homme et du Citoyen (Français) de 1789 (translated into English from the original text)].*

The fundamental bases of religious freedom are laid down through these various texts and are clear. Will we discuss here the law and the spirit of the law or the unprecedented nature of this particularly deadly pandemic that requires special treatment to protect public health? *Of course not!* To do otherwise would be to contravene both the French constitution and European laws, while France is subject to them.
Thus, we understand that the right not to be disturbed for one's religious opinions is a right conferred by the French constitution on all French citizens, as well as European laws on all Europeans.
In doing so, all laws, all decrees, which do not take this foundation into account and which create obligations that contravene the religious beliefs of the French or Europeans establish discrimination that goes against the French constitution as well as the bases enacted by the European Union.

> Therefore, together with their unconstitutional nature, which contravene the "Declaration of Helsinki", and the fact that the drug "Paxlovid" now exists, we understand that what we have just seen is yet another argument in favor of a necessary repeal of the vaccinallaws against covid 19.

Folder: the illegal nature of Sunday laws.

“The sectarian blindness of the greatest number gives birth to a selfishness which leads the most upright men to act ruthlessly, like a pack of bloodthirsty wolves. The legacy that such men leave to their descendants, children and disciples, is nothing but ignominy and perpetuation of the pains of their victims through the centuries”. [Quote from Kenny R. MARGUERITE].

14 Historical and legislative reality of the unconstitutional character of the Sunday laws

To begin, I would say to you that to understand the religious and therefore unconstitutional character of the Sunday laws which establish in France that weekly rest must be given on Sunday for all French people, we have to take a step back in history to fully understand these realities.
When I speak of history, I am in fact speaking of that of antiquity, because there we find the the grind (*foundation)* of the Sunday laws. This tells us:
"From the Emperor Constantine to A. Helpidius: All judges, all citizens and all occupations must rest on the honourable day of the sun […]". *[Extract from: "Code de Justinien III. 12, de feriis, 3." (translated into English from the original text)].*

This decree was promulgated by the Emperor Constantine at the beginning of modern Christianity. It was established because the Romans' main faith base revolved around the stars, particularly the *"Sun god".* History teaches us that this day has found its continuity through the centuries:

> *Indeed, in English-speaking countries it is still called "Sunday", which etymologically consists of two words:*
> *"Sun" and "day". In Germany, it is the same: the name "Sonntag"consists of two words:*
> *"Sonne", which means "Sun"and "Tag" which means "day". Sunday and Sonntag, in their literal roots, mean "day of the Sun". For French speakers this day became "le dimanche".*

Although this term *"day of the Sun",* was not retained later by the Catholic Church to qualify Sunday as a sacred day of rest, its origin is pagan.

> It is this agreement of the Christians, with the installation of this day of rest within the Romain empire, which makes it possible to establish Sunday like being the *"day of the sun".*

The weekly Sunday rest, as we know it today, derives from this and finds its durability there. This is how the Catholic Church subsequently at the Council of Laodicea instituted Sunday as the *"Lord's Day".*
Here is an excerpt from that text: **"Christians should not judaize by resting on the Sabbath, but should work on that day, honouring the Lord's Day [Sunday] by resting".** *[Extract from: "Canon 29 du concile de Laodicée (Date approximative l'an 363)." (translated into English from the original text)].*

We can also add this: **"We observe Sunday instead of Saturday because the Catholic Church, at the Council of Laodicea [363], transferred its sanctification from Saturday to Sunday".** *[Excerpt from: "The Convert's Catechism of Catholic Doctrine, 3e édition, p. 50" (translated into English from the original text)].*

Here we find that the Catholic Church has instituted that Christians should no longer Judaize (*worship God*) on the Sabbath (*Saturday*), but henceforth do so on Sunday.
In addition, the Council of Laodicea forbade working on Sundays, while it required working on the Sabbath day (*Saturday*).
Moreover, In order that Sunday might appear to have been established by the Lord, the Catholic Church instituted the **"dies dominica"** which is derived from the Latin root **"dies Dominicus"** meaning **"day of the Lord".**
In this century, the fact of working on Sunday while resting on Saturday may seem an aberration, but it has not always been so, because it was the Catholic Church which once decreed that the French should be unemployed on Sunday and work on Saturday.

In doing so, the predominance of Catholic dogma is omnipresent in the tenor of the laws prohibiting work on Sundays.

> These laws are not recent, indeed, the first dominical law was instituted in the *year 363* of our era. *We have seen it !*

On the basis of these bases, the Catholic Church will continue through the centuries to enact other texts intended that the Sunday which it has decreed to be the *"day of the Lord",* can be revered. The following introduces us to one of these texts:

"Sanctify Sundays […] Every Christian should avoid imposing unnecessarily on others what would prevent him from keeping the Lord's Day […]
Despite economic constraints, the public authorities will ensure that citizens have time for rest and divine worship […]" *[Excerpt from: catechism of the Catholic Church; II. The Day of the Lord; the Libreria Editrice Vaticana (translated into English from the original text)].*

Throughout the centuries this Sunday law, the paternity of which belongs to the Roman people and the *"motherhood"* to the Catholic Church, has been able to make its way, to ultimately give birth to the following text:

"Article 1. It is forbidden for the same employee or worker to spend more than six days a week in an industrial or commercial establishment or in any of its premises, regardless of whether such activity is of a public, private, lay or religious nature, even if its purpose is either professional or charitable.
The weekly day of rest shall consist of at least twenty-four consecutive hours.
Article 2. The weekly day of rest shall take place on Sunday. […]". *[Excerpt from: "Loi du 13 juillet 1906 établissant le repos hebdomadaire en faveur des employés et ouvriers" (translated into English from the original text)].*

Before continuing, it is important to emphasize that the interest of this law is undeniable, because it is in favor of the workers and has made it possible to put an end to their exploitation.
Indeed, it prohibits employers from making their employees work more than *6 days per week,* and all workers must have *24 consecutive hours* of rest per week. It is therefore not a question here of totally incriminating it, but only of drawing attention to one of its important elements, this little sentence which follows:

> **"The weekly day of rest shall take place on Sunday".** It should be noted that on reading this *[French law of July 13, 1906 establishing weekly rest...],* the religious character does not appear immediately, because no allusion to an allegiance to be brought to God on Sunday is made.
> In order to realize the religious connotation associated with the weekly Sunday (*dominical*) rest in France, it is necessary to refer to what *Mr. Ayrault* (*when he was Prime Minister*) declared during his press conference on *December 2, 2013,* following the report on the question of exceptions to Sunday rest in shops that *Mr Jean-Paul Bailly* submitted to the French government.
> **Here is an excerpt from his speech: "There will be no question of questioning the rule on the dominical rest [...] Sunday is not a day like any other".**

The legislator uses the term *"dominical"* to present Sunday rest. However, this is not its original meaning; it is taken from the Latin word *"dominicalis",* which means *"of the Lord".*

> The term *"dominical"* therefore means *"that which belongs to the Lord".* The legislator describes the dominical weekly Sunday rest, thus recognising that Sunday has a *"divine"* nature since, as we have seen, the term is derived from the Latin word dominicalis, which means *"of the Lord".*
> *Therefore by extension allegiance is made to the dogma of Papal Rome which instituted this day.*

Nevertheless, what could be more normal for a religious legislative base that has infiltrated the Republic?

With these foundations, let us now discover why the Sunday which was seen attached to this expression of the *"dominical rest on Sunday"* (*which is not a pleonasm*), cannot be a day like any other for the French State.
This reality alone has made the laws which established that the compulsory weekly rest of the French people must take place on this day, the Sunday, unfounded and contravene the principle of a Secular Republic.

It thus appears that these Sunday laws and the various sanctions they instituted, penalizing those who do not have an exemption to hire an employee who wishes to work on Sunday, were put in place while they are perfectly unconstitutional since they are of a religious nature and thus contravene the following text:
"[…] the Republic assures freedom of conscience. *It guarantees the free exercise of worship with the only restrictions enacted hereafter being in the interests of public order* **[...] The Republic does not recognise, financially support or subsidise any religion".**
[Loi du 9 décembre 1905 concernant la séparation des Églises et de l'État. Version consolidée au 19 mai 2011. Titre 1er: Principes. Articles 1 et 2. (translated into English from the original text)].

Let's also add this: **"France is an indivisible, secular, democratic and social Republic. It ensures equality before the law for all citizens without distinction of origin, race or religion. It respects all beliefs."** *[Article 1er de la Constitution (Française) du 4 octobre 1958 (translated into English from the original text)].*

Here we find two of the fundamental texts, which present the reality of France as a Secular Republic, which has completely disassociated itself from religions, having no subordination to them, while leaving each citizen the choice to be able to freely live their faith without being discriminated against for this.
This law, which was voted on *December 9, 1905,* and is still in force, is the basis that establishes the freedom of the French State with regard to religions. It was voted at the time in order to emancipate the State from the yoke of the Catholic Church, which reigned supreme over religions as well as over monarchs and the State.

The sentence **"The Republic does not recognize [...] any religion"** is the guarantee that assures every Frenchman that he will not be subjected to the dogma of a religion. It thus appears that no Church decree can alienate the individual freedom of the French as a people. For this reason, any law or decree that contravenes our constitution cannot remain in French legislation.

The same is true for anything that does not rest on the foundations of the French constitution and that would oppose the first principle of France, that of a Secular Republic.
Therefore, by these instituted Sunday laws, my rights have been and are still being violated, this is presented in *[(French) Article 5 de la Déclaration des droits de l'homme et du citoyen de 1789 (translated into English from the original text)],* which states among other things that: **"[...] Everything that is not forbidden by the Law cannot be prevented, and no one can be forced to do what it does not order".**

Thus, by preventing French citizens from working on Sundays, the French State, which is a Secular Republic, violates their rights.
Having separated Church and State, it is clear that any law or decree which, such as the Sunday laws, are derived from religious texts, and thus contravene our constitution, cannot remain in French legislative texts. It is the same for those which are not based on secularism or are not anchored on the foundations of the Republic.

However, with the so-called *"Sunday"* laws, we are far from such a reality in France because, by associating the term *"dominical"* with the mandatory weekly rest day in France, the legislators have acted that this day is a religious day.

To continue, let us now look at this fundamental notion of secularism, by reading the following: **"Secularism guarantees freedom of conscience.** *From this derives the freedom to manifest one's beliefs or convictions within the limits of respect for public order.* **Secularism implies the neutrality of the State and imposes the equality of all before the law without distinction of religion or belief.**
Secularism guarantees believers and non-believers the same right to freedom of expression of their beliefs or convictions.
It also ensures the right to have or not to have a religion, to change it or to no longer have one. **It guarantees the free exercise of worship and freedom of religion, but also freedom vis-à-vis religion: no one can be forced to respect dogmas or religious prescriptions.**
Secularism implies the separation of the state and religious organizations.
The political order is based on the sole sovereignty of the people of citizens, and the state *— which neither recognizes nor salary any cult — does not govern the internal functioning of religious organizations.*
From this separation is deduced the neutrality of the State, territorial communities and public services, not of its users.
The secular Republic thus imposes the equality of citizens vis-à-vis the administration and the public service, whatever their convictions or beliefs. **Secularism is not one opinion among others but the freedom to have one.**
It is not a conviction but the principle which authorizes them all, subject to respect for public order". *[Extract from: Droits et libertés. Qu'est-ce que la laïcité ? Tiré du site internet : https://www.gouvernement.fr/qu-est-ce-que-la-laicite (translated into English from the original text)].*

In this text, I would like to extract a sentence that I believe is the pivot of all that I have just presented. I invite you to read it again:

> **"[...] no one can be forced to respect dogmas or religious prescriptions. […]".**

This sentence alone demonstrates the nonsense of the dominical laws! Indeed, how can we understand it when the Sunday laws show quite the opposite. In France, we are far from the reality presented in this excerpt because, as we have seen, the laws obliging French citizens not to work on Sundays are of a religious nature.

> In doing so, the dominical laws, which force all or part of the French people not to work on Sunday, make France out of step with what it professes. Indeed, in a State that recognizes itself as a Secular Republic, **"[…] no one can be forced to respect dogmas or religious prescriptions. […]",** because **"Secularism guarantees freedom of conscience".**

Where is my freedom of conscience as a Frenchman when, as a Sabbath-observer, ancient laws that the Catholic Church instituted and that have been brought up to date by French legislators, continue to keep me, for 25 years, in a state of debasement and precariousness? On this day and for centuries, France, by making its own practices stemming from a religion, rejects the first basis of a secular Nation!

To understand what this means, let us examine what should qualify France as a *"secular republic".* To do this, let us reread this excerpt from a text already quoted:

> **"[...] Secularism implies the neutrality of the State and imposes the equality of all before the law without distinction of religion or belief. [...] Secularism implies the separation of the state and religious organizations.**

The political order is based on the sole sovereignty of the people of citizens, and the state — which neither recognizes nor salary any cult […]"

What this site of the French government presents here is simple:

> The reality of "laïcité" is materialized by the fact that the (French) State does not recognize in all that is of its competence, thus also at the level of its legislation any text, laws, decrees, dogma, knowledge etc. which is of a religious nature.
> The French government is separated from any religious organization, so no influence of this type can remain in **"The secular Republic"** that is France! With this base, the State **"imposes the equality of all before the law without distinction of religion or belief".**

All this is difficult to reconcile with all that we have just seen, and which have as their basis the Sunday laws. Let us now review these same bases but in reverse and let us reason by the absurd:

> Any Nation, which keeps in its legislation, in the management of its administration and its public service, its territorial communities, laws or provisions stemming from the dogma or beliefs of a religion, is not a "Secular Republic"!
> Any country, which discriminates against a part of its people and forces them to observe religious prescriptions and/or laws, cannot bear the name of "Secular Republic".

Not so absurd as that, since this deduction that I have just exposed is none other than the reality presented by this text on secularism, considering that if one thing is true, its opposite is also true.
In this excerpt we have also discovered, the uniqueness of secularism which is not an opinion or a belief, but is what founds things and allows everyone to be able to freely express their opinions, without being hindered, as long as they do not contravene the rules established in the Republic!

In all that was presented, here is what for me must make us think and bring us to fight, according to the rules of the Republic, so that what follows, cannot have any more the top in France:
"Any society in which the guarantee of rights is not assured, nor the separation of powers determined, has no constitution."
[Article 16 (Français) de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].

Let's link this *article 16 of the constitution* with these so-called dominical laws:

> Can we then say that the French Society has a Constitution, with regard to what this article 16 describes, when the fundamental rights of all or part of the French citizens are discriminated?
> How could such laws see the day and worse still persist, in a country, which is a Secular Republic?
> One cannot be at the same time a thing and at the same time its opposite. One cannot at the same time practice religious precepts and boast of being a Secular Republic by discriminating all or part of its citizens, by forcing them to practice prescriptions of the Catholic dogma.
> This is tantamount to favouring this religion to the detriment of others.
> It is time for France to emancipate itself from these religious laws which are without foundation and which gangrene it so that it becomes what it should always have been, a Secular Republic, cradle of the rights of the man, and where no discrimination is perpetuated, by those the same ones charged to protect us and to defend our rights, our legislation and our constitution!

On this day, the question is not simply whether or not to repeal the dominical laws. The real questions that each of us, especially our legislators, the members of the Council of State, the members of the Constitutional Council must ask ourselves are:

> **What are our foundations, in France as a people?**
> What are our values? If the answer to these questions is the French Constitution and the rules of the Republic and secularism, then the only decision that must be taken is the repeal of these discriminatory laws that are the dominical laws!

How to profess one thing and do its opposite! :

> If these iniquitous laws incriminated in this file are not reformed, it will mean that it will be henceforth admitted that we are in violation of our constitution and that we are thus acting the destruction of the Republic to tend towards another political system interested only in a part of the French population and constraining the others.
> Or, we choose to be in the reality of what we have, for centuries, established in our constitution and in our legislation, and let us make sure, from now on, to be a strong Nation, a just Republic and a Secular State where no trace, even tiny, of discriminatory or religious laws remains.

To continue, I would say that my objective is that the following should prevail in France from now on:
"[…] So that the claims of the citizens, based henceforth on simple and indisputable principles, will always turn to the maintenance of the Constitution and the happiness of all." *[Préanbule de la Déclaration des Droits de l'Homme et du Citoyen (Français) de 1789 (translated into English from the original text)].*

The goal of every French citizen should be to ensure that nothing violates our constitution, which is presented here as contributing to our happiness as a people. Let's go on to discover other aspects of these laws that violate the rights of Sabbath and Shabbat observers.
To get to the heart of the matter, we have already seen how the provisions of the Sunday laws discriminate against adult Sabbath and Sabbath observers, especially in their work, now let's find out how these laws affect the lives of our children. Here is what has been instituted in this matter:

> **"Pursuant to (French) Article L. 221-5 of the Labor Code, the weekly rest period must be given on Sunday.**
> **Moreover, (French) Articles L. 221-3 and L. 224-1 prohibit the employment of apprentices on Sundays and public holidays.**

However, establishments manufacturing food products for immediate consumption, hotels, restaurants and drinking establishments, as well as all the establishments listed in (French) Article L. 221-9 and the industries listed in (French) Article L. 221-10, are allowed to give their personnel weekly rest by rotation.
For this reason, since 1975, circulars have authorized the work of apprentices on Sundays and public holidays, considering that, in companies benefiting from an exemption under common law, apprentices, insofar as they follow the rhythm of the company, can work on these specific days.

However, five Court of Cassation rulings handed down on January 18, 2005 held that these circulars could not call into question the prohibition on having an apprentice work on Sundays and public holidays.
Sectors of the craft industry where activity is particularly high on Sundays and public holidays, in particular those of the bakery-pastry industry, now encounter a problem in training and employing minor apprentices, *the case of adult apprentices having been settled by article 23 of law no. 2005-32 of 18 January 2005.*

Moreover, the ban on Sunday work for apprentices under the age of 18, combined with the requirement for a weekly rest period of two consecutive days and the weekly closing day of the establishment, may make apprenticeship in these sectors difficult to implement. [...]"
[Réponse du Ministère des petites et moyennes entreprises, du commerce, de l'artisanat et des professions libérales publiée dans le JO Sénat du 07/07/2005 – page 1840. Travail des apprentis le dimanche et les jours fériés 12e législature. Taken from the French Senate website: https://www.senat.fr (translated into English from the original text)].

What is presented here is dramatic for young people who are not of age and who wish to become apprentices! Of course, we understand that these minors must be protected, but in light of other criteria, let's analyze what this really means and implies:

> *Thus, an employer craftsman who has apprentices, must give them two consecutive days off, one of which must necessarily be Sunday.*

Before continuing, let's rediscover what the French national collective bargaining agreement for the hairdressing industry has decreed on this matter:
"Employees will benefit from a rest period of 24 consecutive hoursset for Sunday by application of Article L. 221-5 of the Labor Code *and 1 additional day, allocated in rotation in agreement with the employer and according to the needs on duty. (1) […]*
(1) Paragraph extended subject to the application of the provisions of Article L. 221-4 of the Labour Code, under the terms of which the weekly rest period must have a minimum duration of 24 consecutive hours, to which must be added the consecutive hours of daily rest provided for in Article L. 220-1 (Order of 3 April 2007, art. 1)."
[Extract from: Article 10 de la Convention collective nationale de la coiffure et des professions connexes du 10 juillet 2006. Étendue par arrêté du 3 avril 2007 JORF du 17 avril 2007 (translated into English from the original text)]

Thus, this second day of rest must be given either on Saturday or on Monday. So far this does not seem to be a discriminatory hindrance to young Sabbath or Shabbat keepers who are apprentices in the craft industry, because they can, it seems, be off on Saturday and Sunday. But in reality things are quite different.

> To tell you about it, with my 35 years of professional experience as a mixed hairdresser, I would say to you that Saturday being the leading day in this sector of activity, where the remuneration of the hairdressers is often doubled, in order to respect the obligation to close the two consecutive weekly days, one of which is Sunday, the hairdressing salons will generally close on Monday.
> As a result, young Sabbath or Shabbat observers cannot be present in the company on Saturday, their hiring becomes problematic for the employer.
> The objective being to train apprentices in order to optimize their sales figures and not being able to make their employees work on Sundays, the managers of the hairdressing salons will more easily hire as an apprentice a young person who agrees to work on Saturdays, than one who, by conviction, refuses.
> For this business manager, to do otherwise would be a very important loss of earnings.

We can see that these Sunday laws with the prohibition of working on Sundays do not only impact professional hairdressers who, like me, observe the Sabbath or the Shabbat, but also hinder young people who have the same faith base in their job search.
This discrimination means that our young Sabbath or Shabbat observers are not free to train for the profession of their choice.
Indeed, persevering in this way may be a hindrance to a professional career in the future.
The youth is the future of the country, I find it very harmful when a young person is not free to choose the career he wants to embrace!

It should be noted that in accordance with the principle of non-discrimination of *[(French) Article L1132-1 du Code du Travail],* any employer who refuses to train a young person because of his or her convictions is outlawed and is guilty of reprehensible practices.
For there to be a change leading to equity for the professional future of Sabbath or Shabbat-observant youth, one of two options should be put in place:
Repeal the dominical laws or agree to waive the rule by granting a special dispensation for young Sabbath or Shabbat observers to be present on Sunday in a company that agrees to it. They could then continue their apprenticeship or training without being prevented from doing so by these laws.

In order to do so, this exemption should also be accompanied by a modification of the clause arbitrarily fixing two consecutive days of rest. This would allow those for whom this exemption is intended to benefit from their weekly rest period in a different way, for example on Saturday and Monday.

> The same chances of success would then be offered to them! In addition to all that has already been said, I would add that the Sunday laws, being Catholic in essence, have created a religious monopoly that for centuries has discriminated against the rights of Protestant Christians, Sabbath observers, or Jewish people, Shabbath observers.

We are obliged to be unemployed on Sundays, while in order to observe the Sabbath or the Shabbat, we do not work on Saturdays.
If we were to take into account all those Sundays when we were forced to be unemployed, it would represent a considerable loss of income.

> As long as these medieval laws remain, they discriminate against me and all Sabbath and Sabbath observers, because under the *35-hour* work week we are required to work only **five days a week,** instead of the **six** that are the prerogative of all other French people who wish to do so.
> By forcing Sabbath and Shabbat observers not to work on Sundays, the French state is oppressing us.
> We are thus hindered and do not have the same chances of success as those who observe Sunday. As a result, we have a shortfall of one day per week which adds up to **52 days per year.**
> Thus, these laws prohibiting work on Sundays are arbitrary and pernicious, because they discriminate against the rights of French Sabbath and Shabbat observers.

By doing so, the French state acts in a discriminatory way and violates the laws that prohibit such things.
This tells us: **"Men are born and remain free and equal in rights. Social distinctions can only be based on common utility".**
[(French) Article 1er Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].

Let's complete with this other text: **"[…] All Citizens, being equal in his eyes, are equally admissible to all dignities, places and public employments,** *according to their capacity, and without any other distinction than that of their virtues and their talents".*
[(French) Article 6 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].

Consider also this other text: **"No one should be disturbed for his opinions, even religious ones, provided that their manifestation does not disturb the public order established by the Law."** *[(French) Article 11 Déclaration des Droits de l'Homme et du Citoyen (Français) de 1789 (translated into English from the original text)].*

Let's also take this into account: **“1° Any direct or indirect discrimination** *based on actual or supposed membership or non-membership of an ethnic group or race* **shall be prohibited** *in matters of social protection, health, social benefits, education, access to goods. [...]*
2° Any direct or indirect discrimination based *on sex, actual or supposed membership or non-membership of an ethnic group or race,* **religion or belief,** *disability, age, sexual orientation or identity or place of residence* **is prohibited with regard to membership and involvement in a trade union or professional organisation, including the benefits provided by such organisation, access to employment, employment, vocational training and work, including freelance employment or self-employment, as well as working conditions and professional promotion.**
This principle shall not preclude differences of treatment based on the grounds referred to in the preceding paragraph where they meet an essential and determining occupational requirement and provided that the objective is legitimate and the requirement is proportionate”.
[Extract from: « (French) Article 2 loi n°2008-496 du 27 mai 2008 portant diverses dispositions d’adaptation au droit communautaire dans le domaine de la lutte contre les discriminations. » (translated into English from the original text)].

Let's end with this: **“1. Everyone has the right to freedom of thought, conscience and religion;**
This right includes freedom to change one’s religion or belief and freedom, **either alone or in community with others and in public or private,** *to manifest one’s religion or belief, in worship, teaching, practices and observance.*
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others”.
[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1-2 (translated into English from the original text)].

I have referred to all these texts that are in force in France in order to highlight the following:

> All French citizens are equal, and no discrimination should be exercised against them, notably in terms of access to employment or with regard to their faith. However, as we have seen, it is what the Sunday laws have instituted in France that discriminates against Sabbath and Shabbat observers.
> In effect, they are asked to submit to a religious constraint, that of the majority, even though it is not their own faith base and they are at a professional disadvantage. It should also be noted that restrictions on religious freedom can only be put in place within a specific framework:
> **“To preserve public safety, the protection of public order, health or morals, or the protection of the rights and freedoms of others.”**

Dominical laws do not fall within this scope. We are indeed faced with a pure constraint that sets its own rules.
It is certain that if Sunday were part of these formal restrictions, no authorization would be granted while there are derogations in this area resulting in higher remuneration.
This law establishes it: **“The collective agreement sets out the compensation granted to employees deprived of dominical rest […]”**

In the absence of an applicable collective agreement, the authorisations are granted on the basis of a unilateral decision by the employer, taken after consulting the works council or employee representatives, where they exist, and approved by a referendum organised among the staff concerned by this exemption from dominical rest.

The employer's decision, approved by referendum, determines the compensation granted to employees deprived of dominical rest as well as the commitments made in terms of employment or in favour of certain groups in difficulty or disabled persons.

In this case, each employee deprived of Sunday rest benefits from a compensatory rest and receives for this working day a remuneration at least equal to twice the remuneration normally due for an equivalent period.
"[…] Only voluntary employees who have given their written consent to their employer may work on Sundays on the basis of such authorisation. […]
An employee of an enterprise benefitting from such an authorisation who refuses to work on Sundays may not be discriminated against in the performance of his or her contract of employment.
Refusal to work on Sundays for an employee of an undertaking benefitting from such authorisation shall not constitute a fault or a ground for dismissal […] **"In the absence of an applicable collective agreement, every year the employer shall ask every employee who works on Sundays whether he or she wishes to benefit from a priority to take up or resume employment in his or her professional category […]".**
The employer shall also inform the employee, on this occasion, of his or her right to stop working on Sundays if he or she no longer wishes to do so.
In such a case, the employee's refusal shall take effect three months after his or her written notification to the employer.
"In addition, an employee who works on Sundays may at any time request to benefit from the priority defined in the preceding paragraph [...]".
[Extract from: "(French) Loi n° 2009-974 du 10 août 2009, article 2, réaffirmant le principe du repos dominical et visant à adapter les dérogations à ce principe dans les communes et zones touristiques et thermales ainsi que dans certaines grandes agglomérations pour les salariés volontaires" (translated into English from the original text)].

Let's complete with this other text: **"Industries in which materials susceptible to very rapid alteration are used and those in which any interruption of work would result in the loss or depreciation of the product being manufactured,** *as well as the categories of establishments and establishments mentioned in the following table, are allowed, in application of article L. 3132-12,* **to give weekly rest by rotation for the employees employed in the work or activities specified in that table".**
[(French) Article R3132-5 du Code du travail Français (translated into English from the original text)].

The derogations allowing certain trades to work on Sundays demonstrate, in France, if it were necessary, that this cannot harm society or the State. Nevertheless, the Sunday laws and their derogations allowing certain sectors to work on Sundays do create discrimination.
I am going to present you this reality by taking as a frame the news of *2013,* where large DIY stores in France rose up against these Sunday laws by opening without authorization.
Faced with this outcry, the response of the government at the time was to issue the following decree:
"Subject: Temporary inclusion of do-it-yourself retail establishments on the list of categories of establishments that can legally derogate from dominical rest. *Entry into force: the text enters into force the day after its publication.*
Notice: this decree adds DIY retail businesses to the list of categories of establishments benefiting from a derogation with regard to dominical rest in application of article L. 3132-12 of the Labor Code (French).
Retail establishments trading primarily in DIY materials and equipment, hardware, paints-enamels-varnishes, flat glass, and construction materials are thus concerned.
This provision is scheduled until July 1, 2015, pending the vote on a new legislative framework on exceptions to dominical rest […]"

[Extract from: (French) Décret numéro 2013-1306 du 30 décembre 2013 portant inscription temporaire des établissements de commerce de détail du bricolage sur la liste des établissements pouvant déroger à la règle du repos dominical. J.O. Numéro 0304 du 31 décembre 2013 (…) (translated into English from the original text)].

This decree intended to satisfy the DIY stores was rejected by the Council of State because of its temporary nature, in order to remedy the crisis the French government decreed the following:
"[...] This includes *retail establishments dealing primarily in do-it-yourself materials and equipment, hardware, paints, enamels and varnishes, flat glass, and building materials [...].*
Do-it-yourself retail businesses on the list of categories of establishments benefiting from an exemption from dominical rest pursuant to article L. 3132-12 of the Labor Code (French)".
[Extract from: (French) Décret n° 2014-302 du 7 mars 2014 portant inscription des établissements de commerce de détail du bricolage sur la liste des établissements pouvant déroger à la règle du repos dominical (translated into English from the original text)].

This is how DIY stores have joined the "privileged" who can work on Sundays.

It is important to understand what contributed to change things, and to do this we must take into account the text of the law that the French State used to establish this decree to end the crisis. To do this, let's discover the content of the text that is used in this decree, by reading this extract :
"Certain establishments, whose operation or opening is made necessary by the constraints of production, activity or the needs of the public, may by right derogate from the rule of dominical rest by allocating the weekly rest in rotation.
A Conseil d'Etat decree determines the categories of establishments concerned."
[(French) Article L3132-12 du Code du travail (translated into English from the original text)].

Thus, this *[(French) Article L3132-12 Code du travail],* which was the salvation of the French State in this crisis, is also its Achilles heel, because here by specifying in this law that DIY stores can derogate from the rule of Sunday rest because they meet the **"needs of the public",** a breach has been opened.

> This term "public needs", not being clearly defined, is understood to extend to all trades meeting these criteria.
> All businesses that meet the needs of the public should therefore be able to open on Sundays. To understand this, I bring you the following reflections:
> How would opening a DIY store on Sunday be more useful than the hairdresser or the garage? As a hairdresser, I have to do clients' hair on Sundays for their wedding, communion, etc.
> And, go and tell those who have a breakdown on Sunday and cannot find a garage that this activity does not meet the "public needs"!

Before continuing, I think it is wise to specify that the objective I have in mind in this chapter is not to force all businesses to open on Sundays, but simply to allow those who wish to do so to carry out their activities, with employees working on that day, without being prevented from doing so by laws that are themselves in contradiction with other laws and that, being of religious origin, contravene the French constitution.
From now on, two choices are possible:

> The first choice finds its raison d'être in the *[(French) Loi du 9 décembre 1905 concernant la séparation des Églises et de l'État]*, which presents what should happen to the laws and decrees of the Church that have insidiously infiltrated the Republic.

This law of “July 13, 1906” stating that **“The weekly day of rest shall take place on Sunday”** having religious roots is in inadequacy with that of “December 9, 1905” which establishes that **“The Republic does not recognise, financially support or subsidise any religion”.**

Since it cannot coexist, one of the two should be repealed. Of the two laws, that of 1905 represents our identity as a French people, free and not subject to a religion.

Indeed, liberty, equality and fraternity constitute the three pillars of the French Nation, which is a Secular Republic. It thus appears that it is this “Article 2 of the French law of July 13, 1906” that should be repealed or amended.

The second choice is that, for there to be equity, and for French citizens who observe the Sabbath or the Shabbat not to be discriminated against and for their chances of success not to be less than that of the rest of the French people, an exemption should be granted to them following the example of what has been done for establishments that have them.

Thus, companies that employ a Sabbath or Shabbat observer and allow him or her not to work on Saturday because of his or her faith, could in return be able to allow him or her to work, on a voluntary basis, as many Sundays as he or she wishes, without being prevented from doing so by the dominical laws.

Being a minority, it is very likely that those who are not concerned are far from suspecting the very real suffering of those who observe Saturday as their day of rest. It is time for France to stop this discrimination. In this regard, here is what the French constitution has established:

“[…] Everyone has the duty to work and the right to get a job.

No one may be harmed, in their work or employment, because of their origins, opinions or beliefs. […]” *[(French) Préambule de la Constitution de 1946 (translated into English from the original text)].*

We are far from it with these Sunday laws! If there is any need, here is another strong argument to demonstrate that the ban on working on Sundays instituted by these laws referred to throughout this dossier is discriminatory against Sabbath and Shabbath observers.

These laws, I repeat, contravene the French constitution and have no reason to exist in a Secular Republic.

France as a Secular Republic must offer, as we have seen, to all French citizens, regardless of their faith base or religious creed, the same chances of success, especially in professional matters! All this allows us to reaffirm that these two options are perfectly relevant and that the French legislators should take them into consideration:

On the one hand, they have the choice of abolishing all Sunday laws with a religious character, as we have seen, in order to fit in completely with the principles of secularism advocated by the Republic.

On the other hand, in order not to create a mass popular uprising, the choice of keeping the Sunday laws is also possible, but it should be accompanied by measures to ensure that there is no discrimination against this minority whose day of rest is Saturday.

To do otherwise would be to recognize that France can infringe the rights of some people with impunity, while such actions expose it to legal sanction.

The following text attests to this:

“1 The enjoyment of any right set forth by law shall be secured without discrimination *on any ground such as sex, race, colour, language,* **religion**, *political or other opinion, national or social origin,* **association with a national minority, property, birth or other status.**

2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1". *[Extract from: "Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, articles 1 et 2 "Interdiction générale de la discrimination" (translated into English from the original text)].*

The French state is thus violating this and all other laws reported in this document, by continuing to place the yoke of Sunday laws on Sabbath and Shabbath observers. Thus, the social equality that is dear to France is trampled underfoot.

These Sunday laws do not respect the inalienable right of each individual to practice his or her faith without being discriminated against and to have the same opportunities for professional success.

> *Thus, these laws prohibiting work on Sundays violate the faith of those who, like me, observe the Sabbath and the Shabbat and constitute an obstacle to their professional future.*
> *By perpetuating them, the French State acts in a discriminatory way and practices, by this very fact, acts tainted with "excess of power".*

Even if this reality is not perceived by those who are not concerned, I have been able to demonstrate, being myself impacted, how heavy the yoke of laws prohibiting Sunday work is in France.
One might think that there is no remedy to this crisis which, even if it only affects a minority, can eat away at France from the inside like a gangrene!
And yet, legislative texts such as the following one exist and can bring solutions:
"In order to protect the health and safety of workers, minimum rules on working time must be introduced in all Member States.
Under the European Working Time Directive (2003/88/EC), **each Member State must ensure that every worker has the right to:** *A limited weekly working time, which cannot exceed 48 hours on average, overtime included;*
A minimum period of daily rest, at the rate of 11 consecutive hours every 24 hours; A break time during working time, if the worker is active for more than six hours;
A minimum weekly rest period of 24 hours without interruption for each seven-day period, which is added to the daily rest of 11 hours;
Paid annual leave of at least four weeks per year; Additional protection in the event of night work, for example:
The average working time cannot exceed 8 hours per 24 hour period;
Night workers may not perform arduous or dangerous work for more than 8 hours per 24-hour period [...]" [Conditions de travail – Directives sur le temps de travail de la Commission européenne (translated into English from the original text)].

It is important to note that this European law reinforces the basis of workers' rights in Europe (and therefore in France).

> We find here almost the same axes as in the law *[(French) loi du 13 juillet 1906 établissant le repos hebdomadaire en faveur des employés et ouvriers],* nevertheless this sentence so much criticized **"[...] The weekly day of rest shall take place on Sunday [...]"** is not present, this making this text leaves free to choose the day of rest which must be observed.
> It is therefore time for the French State to stop amending these Sunday laws by putting band-aids on a "gangrenous base" because solutions exist!

France being European, it should reform its laws and abrogate the second paragraph of the law of **July 13, 1906** which institutes **"[...] The weekly day of rest shall take place on Sunday [...]"** and this, because it is a transgression of the French constitution.

15 Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws

To begin this part, I would say to you that the Sunday laws are so well anchored in the French laws and in the routine of the French, that our legislators and the French people in its great majority ended up forgetting that these laws were above all, resulting from the cru of the Catholic Church, that they are of religious essence and as such should not be taken again in the constitution or in any legislative text that it is.

We will discover these realities in this section. To realize these realities, we must take the time to fathom the new norms that have been established in this sense, and which are based on a report, dealing with this theme, commissioned to *Mr. Bailly* by *Mr. Ayrault* (*when he was Prime Minister*). Here is an extract:

"In the collective consciousness and history of France, Sunday plays a special role. It remains a fundamental anchor point in the social and family life of the French.

[…] Nevertheless an observation is blindingly obvious: No one wants Sunday to become an ordinary day.

Sunday is an historical, cultural and identity reference point for everyone, that constitutes a landmark in the week. It is therefore not a day like any other. […]

According to studies and surveys, confirmed by the conducted interviews, Sunday is a day for refocussing (rest, relaxation, spiritual activities, etc.), a day for sharing (family, friends, joint leisure activities) and an activity day (outings, excursions, pastimes, etc.).

Since 1906, French labour law has provided for the existence of a weekly rest period, and the fact that this rest day must in principle take place on Sunday.

The legitimacy of such a regulation is based on the specificity of Sunday, explained above and on the fact that the existence of a day of rest common to a large proportion of employees enables everyone to derive greater well-being from this rest day, by allowing them to share part of their free time with other individuals.

This is a question of the synchronisation of leisure time. The associative practise of sporting, cultural or religious activities, as well as the activities of families or friends require that the rest time of those who wish to participate be coordinated". *[Excerpt from: Rapport sur la question des exceptions au repos dominical dans les commerces : vers une société qui s'adapte en gardant ses valeurs, du 2 décembre 2013 de Monsieur Jean-Paul Bailly (translated into English from the original text)].*

In addition, I invite you to read the following: **"The Constitutional Council was seized on April 6, 2016 by the Council of State (decision n° 396320 of the same day) of a priority question of constitutionality (QPC) posed for The city of Paris.**

This question related to compliance with the rights and freedoms guaranteed by the Constitution of the fourth paragraph of Article L. 3132-26 of the Labor Code and the words "or, in Paris, the prefect" appearing in the second paragraph of paragraph III of article 257 of law n° 2015-990 of August 6, 2015 for growth, activity and equal economic opportunity.

In its decision no. 2016-547 QPC of June 24, 2016, the Constitutional Council declared unconstitutional the fourth paragraph of article L. 3132-26 of the labor code and the words "or, in Paris, the prefect" appearing in the second paragraph of paragraph III of article 257 of the law of August 6, 2015.

[…] 1. – The principle of Sunday rest: As the Bailly report points out, "since 1906, French labor law provides for the existence of a weekly rest, and the fact that this rest must in principle be given on Sunday.

"The legitimacy of such a regulation is based on the specificity of Sunday (…) and on the fact that the existence of a day of rest common to a large part of the employees is such as to allow everyone to take more well-being of this day of rest, by allowing them to share part of their free time with other individuals.

This is a question of synchronization of the time devoted to leisure: The practice of associations, sports, culture or religion, as well as family or friendly activities, require that the rest time of those who wish to participate in them be coordinated."
In the labor code, the provisions on weekly rest now appear in chapter II "Weekly rest" of the third title "Rest and public holidays" of the third part "Hours of work, salary, profit-sharing, profit-sharing and employee savings".
The first three articles of Chapter II "Weekly rest" provide: "Article L. 3132-1: It is prohibited to make the same employee work more than six days a week. "Article L. 3132-2: The weekly rest period shall last at least twenty-four consecutive hours, plus the consecutive hours of daily rest provided for in Chapter 1." Article L. 3132-3:
In the interest of employees, weekly rest is given on Sunday." These provisions on weekly dominical rest are of public order.
Derogations to the terms of distribution and organization of working time within the framework of the calendar week, by agreement or by extended collective or company agreement, cannot therefore have the effect of authorizing an employer to require his employees to work more than six days a week.
[...] Consequently, the Constitutional Council declared the contested provisions contrary to the principle of equality..." *[Excerpt from: Commentaire Décision n° 2016-547 QPC du 24 juin 2016 Ville de Paris "Dérogations temporaires au repos dominical des salariés des commerces de détail à Paris" (translated into English from the original text)].*

These two texts that we have just discovered show us the reality of Sunday rest that has been instituted in France since 1906.
If we focus on the second one, we realize that Mr. Bailly's report is a reference in this matter, in the sense that it is quoted, in this dispute brought before the Constitutional Council, in the same way as the articles of the Labour Code dealing with weekly rest.
All of this shows that Mr. Bailly's report has become the backbone of Sunday rest in France, just like the legislative texts.
Thus, it seems essential to consider, beforehand, the arguments contained in this report in favor of dominical rest, as instituted in France.

First of all, it is interesting to note that his report is intended to deal with *"the question of exceptions to dominical rest in shops"* and that in these lines, it is Sunday rest that is being discussed.
We find here again this religious connotation that is given to Sunday rest which is presented as being "dominical", therefore reserved for the Lord, that is what this term means. Now that this point has been made, let's get to the heart of the matter. In this text, Sunday rest (*Dominical rest*) is presented as a great benefit to society.

> On this day, the objective is to set up activities destined to the collective development, to the social cohesion.

It is presented as a day for rest, relaxation, spiritual activities, outings, excursions, etc. It is also said that it is a great plus for the French to have the same weekly day of rest, in the sense that it would participate in social cohesion and would allow French citizens to share in a coordinated way a part of their free time with others.

It should be noted that even if the majority of French people are attached to their Sunday as a day of rest, even if this day is a blessing for many, nevertheless this does not make a religious law legislatively acceptable and therefore unconstitutional.
Therefore, any law that would be enacted in our legislation and that would contravene our constitution, should be repealed, even if it was aimed at the welfare of the greatest number of French citizens.
We have experienced this reality with the vaccination laws against covid 19, which were amputated of a paragraph that was nevertheless important, because it was intended to preserve the health and life of the greatest number of French citizens.

To rediscover it, I invite you to reread the chapter entitled *"On the alleged internal illegality of the vaccine laws".*
With this example, we understand that as noble and beneficial as the dominical laws are for all or part of the French people, being carried by a religious legislative basis which contravenes the French constitution, they must be abrogated.
We understand that this argument of Mr. Bailly, presenting the benefits of the dominical laws for the majority, cannot justify their perpetuation.
To continue, I would say that in order to highlight the religious and therefore unconstitutional character of *Mr. Bailly's report,* we need only to note the quality of some of those who contributed to its implementation. To do this, let us read the following:
"By letter of September 30, 2013, the Prime Minister entrusted me with a mission on the issue of exceptions to Sunday rest in shops.
He asked me: "to examine the difficulties posed by the current system and to shed light on the multiple issues of the opening of certain businesses on Sundays – social, societal, economic, competitive, environmental issues". […]
All those who wished to be heard were. Thus, we have heard from trade *unions and employers' organizations, employee coordinations, chambers of commerce and industry, chambers of trade, local elected officials, prefects and directors of administration, members of parliament who have worked and reflected on these issues,* **representatives of the Catholic Church,** *and of course all the ministers concerned and their offices.*
[…] "In the collective consciousness and history of France, Sunday plays a special role. It remains a fundamental anchor point in the social and family life of the French. [...]".
[Excerpt from: Rapport sur la question des exceptions au repos dominical dans les commerces : vers une société qui s'adapte en gardant ses valeurs, du 2 décembre 2013 de Monsieur Jean-Paul Bailly (translated into English from the original text)].

Let's complete with this other extract which clearly shows the active participation of the contributors to the report of *Mr. Jean-Paul Bailly:* **"Everyone was able to express themselves and be listened to. Many people had prepared these meetings very meticulously and left us written contributions".**
[Excerpt from: Rapport sur la question des exceptions au repos dominical dans les commerces : vers une société qui s'adapte en gardant ses valeurs, du 2 décembre 2013 de Monsieur Jean-Paul Bailly (translated into English from the original text)].

I would say to you, that it is for me surprising that *"representatives of the Catholic Church"* are present at this hearing carried out to establish a law of the French Republic which is, let us recall it, laic. In order to better understand my astonishment, let us review the principle of secularism explained below:
"Secularism implies the neutrality of the State and imposes the equality of all before the law without distinction of religion or belief. [...] Secularism implies the separation of the state and religious organizations.
The political order is based on the sole sovereignty of the people of citizens, and the state — which neither recognizes nor salary any cult [...]". *[Droits et libertés. Qu'est-ce que la laïcité ? Extract taken from the website: https://www.gouvernement.fr/qu-est-ce-que-la-laicite (translated into English from the original text)].*

Thus, in view of the definition of secularism, the representatives of the Catholic Church had no place to contribute to the Bailly report.

> Indeed, the French Republic being secular, this **"implies the separation of the State and religious organizations".**
> This means that legislative decisions cannot, under any circumstances, be based on religious influences, because **"the State is neutral with respect to dogma and other religious writings".**

Thus, at the price of their blood, the revolutionaries bequeathed to us a secular Republic where the Catholic Church has no more right of city, in the affairs of the nation, and singularly in its legislation, and in his report, *Mr. Bailly* ignores it by inviting catholic representatives to pronounce on the validity of the Sunday laws.
What could they say to him:

> *Repeal these obsolete and medieval laws, because they are religious and contravene the French constitution!*
>
> Of course not!

On the contrary, they gave him material to support his thesis, which became the legislative basis of the Sunday laws.
This reality emerges from the terms that *Mr. Jean-Paul Bailly* uses in his report and which takes up the Catholic thought. To understand it, I invite you to reread this famous report, which you will find in the introduction of this part, and then to compare it with the following text which is of the Catholic persuasion:
"During Sunday and the other days of the prescribed feast days, the faithful will abstain from works or activities that prevent them from worshipping God, *the real joy of the Lord's Day, the practising of deeds of mercy and the proper relaxation of mind and body. […]*
Family necessities or great social usefulness are legitimate excuses for the whole point of the Sunday rest.
The faithful shall ensure that legitimate excuses do not introduce habits prejudicial to religion, family life and health.
The love of truth seeks holy leisure, the necessity of love welcomes just work". [Excerpt from: "S. Augustin, civ. 19, 19; Catéchisme de l'Église catholique, II. Le jour du Seigneur; la Libreria Éditrice Vaticana" (translated into English from the original text)].

Let's read this as a supplementary text: **"The institution of the Lord's Day helps to ensure that everyone enjoys sufficient time for rest and leisure to cultivate their family and their cultural, social and religious life".** *[Excerpt from: "Cf. GS67, §3. Catéchisme de l'Église catholique; II. Le jour du Seigneur; la Libreria Éditrice Vaticana" (translated into English from the original text)].*

This other text informs us: **"Christian piety dictates that Sunday is traditionally dedicated to good works and the humble service of the sick, infirm and the elderly.**
Christians will still sanctify Sunday by giving time and care to their families and loved ones, which may be difficult to give on other days of the week.
Sunday is a time for reflection, silence, culture and meditation that encourages growth". *[Excerpt from: "Catéchisme de l'Église catholique; II. Le jour du Seigneur; la Libreria Éditrice Vaticana" (translated into English from the original text)].*

As you can see, the substance of Mr. Bailly's report finds its raison d'être in Catholic writings. When we look at the texts I have just quoted and compare them to his report, it is undeniable that he has been strongly influenced by Catholic dogma.
The very choice of words attests to this.
Thus, by allowing the Catholic representatives to bring their contributions to the elaboration of his report, which has become the backbone of the Sunday laws instituted in the secular Republic that is France, Mr. BAILLY renders null and void the said report, as well as all the laws that have resulted from it.

Now that this backbone has been put in place, let us return to another crucial point of *Mr. Bailly's* report, by rereading this excerpt:

> **"In the collective consciousness and history of France, Sunday plays a special role. It remains a fundamental anchor point in the social and family life of the French. […]**

> **Sunday is an historical, cultural and identity reference point for everyone, that constitutes a landmark in the week. It is therefore not a day like any other. […]"**

This is the backbone of *Mr. Bailly's* report and the reason for the continuation of the Sunday laws.

> Dominical rest is thus presented as **"playing a special role in the collective consciousness and history of France",** it is also, according to Mr. Bailly, **"a fundamental anchor in the social and family life of the French"** and finally, dominical rest is even considered as **"a historical marker",** which makes it, according to this report, **"not a day like any other".**

What is said here is strong and heavy of consequences, but the immediate question that comes to me is:

> What is this "historical marker" that is linked to dominical rest and, by extension, to the laws linked to it, that has such a large place in the "history of France" and that has marked the "collective conscience" of the French?

In order to better understand the real link between dominical laws and history, I invite you to go back in time and stop at this period located a little after the French Revolution which lasted from May 5, 1789 to November 9, 1799.
Let's see what happened a little more than a decade later: **"With the Republicans coming to power, a series of legislative and regulatory provisions secularize the country:**
Abolition, with the exception of civil servants, of the Sunday rest obligation instituted in 1814. […]
Abolition of public prayers, **abolition of the religious oath before the courts, secularism of nursery schools [...], neutrality of public education in matters of religion, philosophy and politics and non-confessionalism of public education and secularism of teaching staff in public education [...]**
Abolition of official public prayers at the opening of each parliamentary session […]"
[Assemblée Nationale. La séparation des Églises et de l'État. Quelques repères chronologiques. Les jalons historiques, partie 1879-84. Taken from the site: https://www.assemblee-nationale.fr/histoire/eglise-etat/chronologie.asp (translated into English from the original text)].

Here we discover that in the history of France one of the first steps that the very young Republic undertook, was to undo the institutions of any religious influence.

> To do this, we have witnessed **"a series of legislative and regulatory provisions secularize the country".** Among these measures implemented, we find the one enacted in 1814 that acts the **"Abolition, with the exception of civil servants, of the Sunday rest obligation instituted in 1814".**

This shows, if it were necessary, that the dominical laws do not have secular or republican roots, but as we have already seen, they are religious and come from the Catholic Church.
I think it is interesting to note that, from the moment that Sunday as a weekly rest day ceased to be compulsory, other provisions were put in place.
Thus the weekly rest, was even established for a time on Monday and called "holy Monday". As this text shows:
"— A saint to whom one can give credit. /
— No more sacred than consecrated, it's said. /
— Because four days a week is enough. /
— Bring him out of oblivion, it's Holy Monday. /
— Instead of going to work let's stop at the wine bar. /
— And let's have a drink to protest about the morals of parish priests. /
— Against the capital and the bosses [...] /

— Abolish bourgeois and religious norms [...] */*
— A saint you can give credit to. /
— That of the craftsmen and workers […]"
[Extract from: "L'homme qui tutoyait Serge: la saint Lundi; voir Apogée et déclin de la saint Lundi dans la France du XIXe siècle de Robert Beck, revue d'histoire du XIXe siècle, dans Organe de la société d'histoire de la révolution de 1848 et des révolutions du XIXe siècle" (translated into English from the original text)].

Here we discover the freedom which should be that of any French citizen to be no longer under the yoke of laws and religious decrees.

> This implies being free in conscience to observe a weekly day of rest that is not designated in advance. Unfortunately, in view of what has been presented previously, it is clear that this freedom has not lasted.

Let us see what led to the fact that these dominical laws were not completely eradicated at the time of the French Revolution, and that they continued to exist for civil servants.
To do this, we must go back a little further in French history. It teaches us that after the post-French Revolution period and the rejection of Sunday rest of Sunday by French citizens, the repercussions were catastrophic for them because they found themselves outside the protection of the Church.
Moreover, *Napoleon* could thus declare:

> **"The people eating on Sunday, they must be able to work on Sunday".**

This period of history was bad for the French who were legally exploited by the bosses who could make them work *7 days a week*.

> It is thanks to *Pope Pius VII* that the condition of French workers was improved. He had a political opportunity to change the future of the young French Republic, using the thirst for power of its ruler, who aspired to become emperor.
> Since the rule that had been established was that the coronation of an emperor had to pass through the consecration given by the Catholic Church, Napoleon found himself forced to make concessions to the papacy, willy-nilly.

Under pressure from the Pope, he opted for Sunday to be a day of rest for civil servants. But, certainly that for this great conqueror, the *"deal"* was not so difficult to act, since, at that time, Protestantism being still incipient, the major part of the French was catholic.
With this in mind, here is what was agreed upon: *"No public holiday, except for Sunday, may be established without the permission of the Government. […]* **Sunday will be designated as the day of rest for public officials".**
[Extract from: "Concordat du 23 Fructidor an IX régissant la vie religieuse en France, signé par Bonaparte, Premier consul et le pape Pie VII. Articles XLI et LVII" (translated into English from the original text)].

It is the fact that the majority of French people belong to Catholicism that allowed a rule of Catholic faith to be integrated into the laws of the Republic. To understand this, it is important to read this: **"His Holiness the Sovereign Pontiff Pius VII, and the First Consul of the French Republic […]**
Who, after the exchange of their respective enabling legislation, have adopted the following convention: Between His Holiness Pius VII and the French Government.
The Government of the Republic recognises that the Catholic, Apostolic and Roman religion is the religion of the great majority of French citizens.
His Holiness also recognises that at this time this same religion is waiting for its chance to serve the French people and is still looking forward to the great and glorious benefits to be accrued from the establishment of the Catholic faith in France, **and from the particular profession of the Consuls of the Republic […]".** *[Extract from: "Le Concordat de 1801 du premier consul, Bonaparte" (translated into English from the original text)].*

It is above all important to note, from what we have just read, the following extract:

> *"[…] From the establishment of the Catholic faith in France,* **and from the particular profession of the Consuls of the Republic […]"*.***

These consuls of the Republic who held power in the fledgling French secular republic were described as having a special profession for Catholic cults. However, as guarantors and guardians of the secular republic that is France, these people, including Napoleon, were not to appropriate the dogma of any religion in the name of this republic.

> The Catholic religion – being that of the majority and especially that of the Consuls of the Republic – became by this edict the **"religion of the Republic"***,* it is thus quite naturally that the day of worship that it had instituted, could find its place within the people. This reality that we have just seen persists.

Nevertheless, in order to understand the nonsense of dominical rest – let's remember that dominical means *"of the Lord"* – which was instituted for public servants, we must return to this excerpt from one of the texts already presented: **"[…] Secularism implies the separation of the state and religious organizations. […]**
From this separation is deduced the neutrality of the State, territorial communities and public services, not of its users.
The secular Republic thus imposes the equality of citizens vis-à-vis the administration and the public service, whatever their convictions or beliefs. Secularism is not one opinion among others but the freedom to have one.
It is not a conviction but the principle which authorizes them all, subject to respect for public order […]".
[Droits et libertés. Qu'est-ce que la laïcité ? Extract taken from the website: https://www.gouvernement.fr/qu-est-ce-que-la-laicite (translated into English from the original text)].

It is about the neutrality of the French State, of the territorial communities and of the public services with regard to religions, which implies that no religious law can be inserted in the edicts or the texts of the Republic and find a perenniality there.
In view of what has been observed in reality, this is purely theoretical, for how can one speak of secularism and neutrality when it is obvious that a law of the Republic has its roots in religious laws, subjecting civil servants to the law of dominical.

> This point having been made, let us return to the beginnings of dominical rest for civil servants.

Bonaparte, out of ambition, conceded to Pope Pius VII, therefore to the Catholic Church, a legislative basis that instituted that **"The rest of civil servants will be fixed on Sunday",** once this reality was ratified in the French legislation at a time after the French Revolution, history teaches us that it became irremovable.

The fact of alternatively changing a law by instituting religious texts, within the Republic according to the circumstances, is like playing with fire in a fireworks room, it will always end up exploding in your face.

This reality is evident in the dominical laws, because the finality of what we have just seen is that a law that remains active, even if it is contested and unconstitutional, is an open door that allows for legislation. Thus, on the strength of the first legislative bases instituted by Napoleon, it is quite natural that the weekly Sunday rest was generalized to all the socio-professional layers.
It should be noted that the choice of Sunday as a day of rest was naturally imposed on the legislators, since this day of rest was already observed by civil servants. This provision was therefore naturally extended to all professional sectors by the *[(French) Loi du 13 juillet 1906 établissant le repos hebdomadaire en faveur des employés et ouvriers].*

All of the above leads to the conclusion that this little phrase **“weekly rest must be given on Sunday”** of the *[(French) Loi du 13 juillet 1906 établissant le repos hebdomadaire en faveur des employés et ouvriers],* has become in this century an anachronism within a Republic that prides itself on being secular, and therefore disassociated from *“religious matters”.* The historical elements that have been presented have shown that dominical rest has not always been legitimized in France.

> Thus, Mr. Bailly's report is nonsense, because we have just seen that dominical rest, contrary to what one might think, is not a completely positive historical legacy that the reformers and instigators of the Republic have left in the **“collective conscience and history of France”.**

As a historical marker, Sunday is rather a gaping wound that remains and that with time, not being healed, has become gangrenous.

> To remain in the theme of the *“historical marker”,* let us highlight the bloody and oppressive character at the origin of the dominical laws in France. Let us see what its foundations are.
>
> To begin with, let us recall that Sunday rest was the day of worship instituted, originally by the Romans to venerate the *“god”-sun,* then, the Catholic Church transformed it into **the Lord's Day.**

The text *[Extract from: “Code de Justinien III. 12, de feriis, 3.” (translated into English from the original text)]* establishes the following: **“From the Emperor Constantine to A. Helpidius: All judges, all citizens and all occupations must rest on the honourable day of the sun […]”.**

We can also add the *[Excerpt from: “The Convert’s Catechism of Catholic Doctrine, 3e édition, p. 50” (translated into English from the original text)]* establishes the following: **“We observe Sunday instead of Saturday because the Catholic Church, at the Council of Laodicea [363], transferred its sanctification from Saturday to Sunday”.**

Over the centuries, the laws put in place by the Catholic Church were designed to ensure that the Sunday decreed as the "Lord's Day" could be revered. The following presents the text to us *[Excerpt from: Catéchisme de l’Église catholique; II. Le jour du Seigneur ; la Libreria Editrice Vaticana]* establishes the following:
“Sanctify Sundays […] Every Christian must avoid imposing on others unnecessarily what would prevent them from keeping the Lord’s day […] Despite economic constraints, the public authorities will ensure that citizens have time for rest and divine worship […]”

Reading this text, without taking into account the realities attached to it, one might think that in the past Europeans, over whom the papacy dominated, were free to choose whether or not to observe Sunday rest, also described here as the *Lord's Day.*
Unfortunately, this was not the case, because the the obligatory reverence for **“Sunday”** as **“the Lord's Day”** came to be the cause of suffering, spoliation and martyrdom in Europe over the centuries for all those who refused to revere this day of worship instituted by the Church. We shall see.

But before that, in order to understand the reason for and the nature of the sufferings of those who refused to revere the “Lord's Day” – who worked on that day or who observed the Sabbath and the Shabbath as a day of worship – we must not lose sight of what the high Catholic dignitaries had decreed, and which I invite you to reread the *[Extract from: “Canon 29 du concile de Laodicée (Date approximative l’an 363).” (translated into English from the original text)]* establishes the following:
“Christians should not judaize by resting on the Sabbath, but should work on that day, honouring the Lord's Day [Sunday] by resting”.

It is on these bases that the Catholic Church was able to declare heretical all those who were outside the fixed framework, i.e. those mentioned above. Let us see what was worth being qualified as heretical by the high Catholic authorities.
The text *[Excerpt from : Mansi SC, vol. 33, Cols. 529, 530 (translated into English from the original text)]* establishes the following:
"Such is the condition of the heretics of that time who have nothing to justify except for hiding behind the pretext of God's Word to overthrow the Church's authority […]"

Thus, **"a person who rejects Catholic dogma and holds only to the word of God"** is a heretic. To continue, I would say that at that time, it was not good to have only the word of God as a basis of faith, because the price to pay was heavy. This text tells us about this:
"[...] Archbishops and bishops oblige a priest and two or three laymen of good opinion under oath, or more if necessary, to faithfully, diligently, and frequently search for heretics, by combing houses and underground chambers known to be suspect, searching lean-to buildings, the added constructions under roofs and any other hiding places, which we command to be destroyed.
And if they find heretics, or believers, or wrongdoers, who receive them or defend them, after having taken precautions to prevent them from escaping, [...] **So that they may be punished with the required chastisement.**
We command that whoever knowingly allows a heretic to dwell in his premises, whether for money or for any other reason, according to his confession or as it is proven, his premises shall be forfeited for ever and his body shall be given into the hands of the Lord to do with it as he should.
[...] Let the house where a heretic is found be destroyed and the land confiscated. We order the house where a heretic is found to be destroyed and the land confiscated.
[...] How to deal with the sick who are deemed heretical or suspected of heresy. We order that no one who is deemed heretical or suspected of heresy shall be allowed to use a physician. [...]". *[Excerpt from: The Council of Toulouse (1229) or Gregory IX forbids the Bible to the faithful (translated into English from the original text)].*

This text presents the persecution of the faithful children of God, they were tracked, like beasts. Any place that could hide them was searched in order to flush them out and punish them.
Their goods were to be seized and their houses destroyed.

> And why? Because they continued to read the Word of God. They were banned from doctors, so when they were sick they were doomed to die like stray dogs.

We have already seen that this term in Catholic language represented those who had faith only in the Word of God and who refused to observe Catholic dogma.
Let us now look at what happened to those who did not fit into the *"mold"* and did not revere Sunday, that is, the *"Lord's Day"* instituted by Catholic dogma. To do this, let us read the following: *"They were warned to appear before them, during a given period of time and to declare and show the things they had seen, known and heard about any person, living or dead,* **who had said or done anything against the Holy Catholic Faith.**
Who had cultivated and kept the law of Moses *or of the Muslim sect or the rites and ceremonies thereof;* **Or committed various crimes of heresy, by keeping Friday and Saturday evenings special and by wearing clean linen on Saturdays and wearing better clothes that day than on other days.**
By preparing food for Saturdays on Fridays, in cooking pans over a small fire; Who do not work on Friday and Saturday evenings like on other days; Who make sure that all lamps are clean and fitted with new wicks on Friday evenings; Who place clean sheets on the beds and clean tablecloths on the table […]
With the above-mentioned person being considered and dealt with as being excommunicated and cursed […]

Let their days be few and evil; let their substance be for the enjoyment of others and let their children be orphans and their wives be widows. Let their children be forever in need and let no one help them;
Let them be driven out of their homes and dispossessed of their property by usurers; And let no one show them any compassion" *[Extract from: "Déclarations, actes et Édits de la Juridiction royale et le Saint-Office de l'Inquisition, Valencia, 1568" (translated into English from the original text)].*

Let's complete with an excerpt presenting those who were Jewish as heretics that the Inquisition (*the Catholic Church*) burned:
"The year of the Lord 1481 [...] began here in the Holy Office of the Inquisition against the Judaizing heretics, for the exaltation of the faith. Through him, from the expulsion of the Jews and the Saracens until the year 1524 [...].
More than twenty thousand heretics have recanted their criminal beliefs **and more than a thousand obstinate heretics have been delivered to the flames, after being tried according to the law".** *[Excerpt from: "Llorente, Histoire critique de l'Inquisition d'Espagne, p.274-275" (translated into English from the original text)].*

Let us now come to these texts. In these two historical texts, we discover that at the time of the medieval supremacy of the Catholic Church, a part of the European people had to pay a very heavy tribute, these were the observers of the Sabbath and the Shabbat.

> One could easily imagine, given the fate reserved for those described here, that if they were treated so harshly it was because they must have been, like the terrorists of our modern era, dangerous. Far from it! What were their crimes?

They were declared heretics by the Catholic Church and had to endure the worst suffering, even death, simply for choosing to cling to the word of God, and to it alone, by rejecting the teachings of this dogma.
Now that this point has been made, let us develop what these texts present. The first highlights the anti-Semitic and discriminatory bases that the Roman Catholic Church had once established – through its vengeful arm, the Inquisition – against Jews, but also against Sabbath-observant Christians.

Signs to recognise those who observed the Sabbath were determined, obliging the people to report any evidence that a person or group was observing the Sabbath. These signs were well targeted.

> Among other things it was necessary to find those who worshipped God in a special way from Friday evening and during the day on Saturday, that is, during the Sabbath and those who prepared food for Saturday on Fridays, who stopped working from Friday evening to Saturday evening and who dressed in their best clothes on Saturdays, etc.
>
> It is on this basis and by specifying the symbols of the way in which the Lord's Sabbath must be observed, that the Catholic Church was able to declare all those who observed these practices to be heretics.
>
> Excommunication and death affected all of their families. According to the anathemas of the Catholic Church, all were destined to suffer eternal damnation and the torments of hell. These edicts forbade showing any mercy towards them or assisting them in any way.
>
> Among other things, in order to discourage offenders it was decreed that their property would be seized and that they were to be cursed. Their families were reduced to begging and their fate was death by starvation.
>
> The underlying purpose of this decree was to present the observance of the Law of Moses and that of the Sabbath or the Shabbat as heresy. And as we have already studied the penalty for heresy was suffering and death.

Countless Sabbath observers (Christians) and Shabbath observers (Jews) were burned for their faith. Their only crime had been to reject Catholic dogma and base their belief solely on God's Word.
It was a truly evil time when the Sabbath or the Shabbat observers had become flesh to be burned at the stake.
This is what we discovered in the second historical text we read. It states that in the **year 1481,** more than **1000 Jewish** heretics, who observed the Sabbath, **were judged and burned at the stake.**
In reality, torture always preceded such festivities! Are you aware of the abomination practised by the Catholic Church?
Can you imagine that **1000 Jews or Seventh-day Adventists would be burned in one year in this century?** And why would that be?
Not because they were bloodthirsty people! But just because they chose to honour the Lord by discreetly observing the Sabbath or the Shabbat. If plans were made to find them it was because discretion was second nature to them.
To do otherwise by blatantly observing the Sabbath would have resulted in them dancing in the moonlight with the flames.

This is what history teaches us about the Catholic laws forbidding work on Sundays and imposing work on Saturdays, thus on the Sabbath. Thus, history leaves us with abominable memories that are linked to these Catholic dominical laws, yet they still remain the pillar of French laws.

Moreover, these unspeakable works, this stalking, this genocide, this anti-Semitism, this anti-Judaism that the Catholic Church perpetrated against those who observed the Sabbath or the Sabbath, did not stop only at what we have already seen before, because here is what was also set up by this religion in Europe:
"To the Jews, who through their own fault were condemned by God to perpetual slavery […]
In truth, they are ungrateful to the Christians, for instead of thanking us for the kindly treatment, they heap invectives upon us and instead of the slavery they deserve, they manage to claim their superiority. […]
That, won over by the piety and goodness of the Holy See, in the end they will recognise thee error of their ways and that they should waste no time in seeing the true light of the Catholic faith and that they accept while they persist in their errors, and realise that they are slaves because of their deeds, while Christians have been set free by the grace of our Lord God Jesus Christ and that it is unjustified for this reason that the sons of free women serve the sons of slaves.
Therefore [...] **All of the Jews shall live in one district, which shall have only one entrance and one exit, and if there are not enough places [in that district], then there will be two or three more or as many as are necessary;**
In all cases, they shall reside entirely among themselves in designated streets, and shall be fundamentally separated from the residences of the Christians, [This is to be enforced] by our authority in the city and by that of our representatives in the other states, lands, and estates mentioned above.
Moreover, in all of the states, lands, and estates in which they live, they shall have only one synagogue, *in the usual location, and they shall not build new synagogues, nor possess their own buildings.*
Furthermore, all of their synagogues, other than the one authorised, shall be destroyed and demolished.
And the properties they now possess shall be sold to Christians within a period of time to be determined by the magistrates themselves.
Moreover, concerning the question that Jews must be recognisable everywhere.

[To this end] men must wear a hat, women, some obvious sign, yellow in colour, which must not be hidden or covered in any way, and must be firmly affixed [sewn].
And moreover they cannot be absolved or excused from their obligation to wear the hat or any other such emblem on any occasion and under any pretext, whatever their rank or importance or their capacity to tolerate [this] adversity, whether by a chamberlain of the Church, clergymen of an apostolic court, or their superiors, or by legates of the Holy See, or their immediate subordinates [...].
They shall not work or provide work on Sundays or any other holiday declared by the Church.
Nor should they incriminate Christians in any way or spread false or falsified conventions. And they shall not in any way play, eat or fraternise with Christians.
And they shall not use any terms other than Latin or Italian in the accounting ledgers they keep with Christians, and, if they should use such words, such agreements shall not be binding on Christians [in the case of legal proceedings].
Moreover, these Jews must limit themselves to trading in old rags, or cencinariae (as they say in the vernacular), and may not trade in grain, barley, or any other commodity essential to human welfare.
And those among them who are doctors, even if called and summoned, will not be able to attend or take part in the care of Christians.
And they shall not be considered superiors, [even] by poor Christians. And they must close their loan books completely every thirty days [...].
And the statutes of the states, territories and domains (in which they have lived for a certain period of time) concerning the primacy of Christians, will have to be brought into conformity and followed without exception.
And if they should, in any way, fail to submit to the above, this should be treated as a crime: *In Rome, by us or by our clergy [...] by their respective magistrates,* **exactly as if they were rebels or criminals according to the jurisdiction where the offence was committed […]**
And may be punished at the discretion of the appropriate authorities and judges". [Excerpt from: "Lois et arrêtés auxquels doivent obéir les Juifs vivant dans les États du Saint-Siège, décrétés par l'évêque de Rome, le pape Paul IV, Servus servorum die du 14 juillet 1555" (translated into English from the original text)].

Here we discover that the Catholic High Authority had enacted one of the worst anti-Semitic laws in history. Under the guise of doing justice to Jesus Christ this law consisted of punishing the Jewish people who had martyred him.
Pope Paul IV declared that it was because the Jews had contributed to the killing of Jesus that they deserved to be removed from their ranks and dispossessed of their property.

This Catholic law against the Jews was so radical, especially in respect of their property, that in my opinion there was only one such case in the last millennium, and that was under Hitler and the Nazis!
Are you aware that thanks to this law the Catholic Church made slaves of the Jewish people? Let us review the excerpt that describes this situation. Here is what was recorded:

> "To the Jews, who through their own fault were condemned by God to perpetual slavery [...] Instead of the slavery they deserve […] and realise that they are slaves because of their deeds […]".

We also saw that the Jews had been stripped of all of their rights and had been decreed to be inferior to Christians. The Catholic Church parked them in lawless areas, just as one would with cattle.
In all of history only the *Nazis* have acted in this way and they did so for only a few years, whilst the Catholic Church has acted in a discriminatory manner by debasing and despoiling the Jewish people for centuries.

The Catholic Church also used the Sunday Laws as its servant in this debasement of the Jews. Let us review what this text advocated in this regard:

> **"[…] They shall not work or provide work on Sundays […]".**

Here we find the oppressive basis of the laws forbidding working on Sundays. Jews were enjoined not to work on Sundays and they were also not to allow their employees to work on that day.
Since they did not work on Saturdays, it was therefore a great loss of earnings for them, which put them at a disadvantage compared to their direct competitors who worked on Saturdays.
This situation has continued into this century, and as an observer of the Sabbath, I am paying the price. I present this reality to you in the section **"Brief career synopsis, philosophy of life and discriminatory oppression".**

To continue, I would say to you that the lowering of the Jewish people, under the background of the Sunday laws, by the Catholic Church was dramatic, from rich merchants that they were until then, they became ragpickers. Apart from the dispossession of their property, they were also deprived of the exercise of their faith, their synagogues were destroyed in their majority and another of the Catholic actions was to limit their number.

Thus, the debasement of the Jewish people by the Catholic Church had considerable consequences. Through these actions, this religion has debased and marked the Jewish people for centuries, as deeply as the digital tattoos used by the Nazis to mark their representatives.
This law was far-reaching because it forbade a Jewish doctor to treat a Christian under any circumstances. Let's rediscover the part of this law that states this:

> **"[…] And those among them who are doctors, even if called upon and summoned, will not be able to attend or take part in the care of Christians. […]".**

Things were really drastic and oppressive, because if a Jewish doctor was present at an accident where there was a Christian who was badly wounded, he could not intervene and had to let the wounded person die for lack of first aid, which he was forbidden to give. To do otherwise would expose him to being afflicted by the law.

> Can you imagine how tragic and absurd this law was? Usually, when illness or an accident occurs, one does not consider religious or social affiliations, but is simply obliged to help.
> And even in this century to do otherwise would mean we would be breaking the law. Because failure to assist a person in danger is a punishable offence.
> The only goal of this ban on Jewish doctors treating Christians, which the Catholic Church had instigated, was to separate Jews from Christians.
> Do you realize that, to this day, these Catholic laws have left lasting traces of disunity between Jews and Christians?

To continue, I would say that what is paradoxical is that of all the Catholic decrees that had been abrogated – during the French Revolution – the one that has found its place in the Republic is the one in the name of which the Jews and Sabbath observers were stripped of their property, tortured and killed at the infamous stake.

> Moreover, this Catholic doctrine, which imposes Sunday as the day of rest, continues, with impunity, to martyr Sabbath observers. I am a living example of this.
> Worse, here we are faced with that day of rest which the Romans established to revere the *"sun-god"* and which the Catholic Church has taken over as the Lord's Day.

We are, as we have seen, in a religious legislative base that remains in the French Republic that presents itself as secular.

Why this state of affairs? Probably because the Catholic Church and its first representative, *Pope Francis,* have as their objective, as was the case with Pope PY VII, to give permanence to the Sunday laws by using their influence on the nations to achieve this.

My words could be qualified as simple feelings or as assertions not based on facts. However, don't be fooled, as you have certainly noticed, I always support my arguments with evidence. Here is one of them with this excerpt from a speech by Pope Francis:
"An employment pact: this is the wish expressed by Pope Francis at his first meeting in Campobasso, the capital of the Molise region in south-central Italy.
During a meeting with the world of labour and industry at the regional university, he addressed the workers and entrepreneurs of this region to express his closeness to them with regard to "the tragedy of unemployment". "So many jobs could be recovered thanks to a strategy set up with the national authorities that know how to take advantage of the opportunities offered by national and European standards".
[…] "This is one of the greatest challenges of our time, converting to a development that respects creation". […] The report states, "to respond to the new and complex issues that the current economic crisis poses, locally, nationally and internationally".
Another challenge in the world of labour and industry:
"Reconciling working time with time spent with the family".
"It is a point that allows us to discern and to evaluate the human quality of the economic system in which we find ourselves", *he added.*
The pope took the opportunity to return to the theme of Sunday working, **"which is not only of interest to believers but to everyone as an ethical choice".**
"Sunday without work affirms that the economy does not have priority over people, over gratuitousness and non-commercial relations, over family relationships and friendship and for believers over the relationship with God and with the community".
And ask yourself this question:
"Is working on Sunday a real freedom?" *[Excerpt from: "Message du pape François en visite pastorale en Molise, Italie, le 5 juillet 2014, présenté par Radio Vatican" (translated into English from the original text)].*

In this message, the pope presents key points that oblige European leaders not to question the dominical rest. Among other things, he says in relation to the dominical rest that *"it does not only interest believers, but is of interest to everyone as an* **ethical choice".**
The word *"ethics"* that the pope uses here is very important because it comes from the Latin *"ethicus",* which means *"morality".*

By making this statement, the pope makes Sunday a mandatory observance for all those who have morals, which implies that those who do not observe Sunday do not have morals. In support of this idea, he had already proclaimed in this regard:

> **"Reconciling time at work with time spent with the family [...] It is a point that allows us to discern, to evaluate the human quality of the economic system in which we find ourselves".**

In this sentence, the pope presents the quality of a government's economic system as being linked to the management of working hours and the rest it offers its people.
By his words he therefore states that a European government, which would not make a plan to ensure that its people can have quality time spent with their families outside of working hours, would have no ethics. And to present the day of rest that should be observed in such a state, the pope says:

> **"Sunday without work affirms that the economy does not have priority over people, over gratuitousness and non-commercial relations, over family relationships and friendship, and for believers over the relationship with God and with the community".**

Sunday is presented by the pope as the means by which a state has given priority to the well-being of its people and not to its finances.
To anchor his plea in the minds of the people, he makes a statement that is highly significant.

“Is working on Sunday a real freedom?”.

This question that the pope poses, in support of his argument, leaves room for reflection and is highly subjective and can be interpreted in different ways.
To me, it means that those who work on Sunday are slaves to work! In response to this, the question I ask is this:

> When I, a Sabbath-observer, am forced by French laws to observe the Catholic dominical day of rest, which was originally instituted for the purpose of worshipping the “Sun God”, am I not being deprived of my freedom precisely because of these oppressive laws that prohibit Sunday work?
> Shouldn't freedom of thought and belief be the right of all those who live in a state (like France) whose foundations are based on human rights? This speech of the pope is only a subtle way used by the Vatican to incite the European leaders not to touch the Sunday rest.

The durability of these laws is due to the role the Vatican plays in the European political arena. Although the Papacy's legislative power over nations is supposed to be over, in reality it is quite different.
In the news, we often see that once appointed, the high dignitaries of European nations value having the pope on their side. Here is what we can learn about this:
“Visit this Tuesday, June 26 to the Vatican by French President Emmanuel Macron.
[…] The visit of French presidents to the Vatican is now a tradition, and it was René Coty, president under the Fourth Republic who inaugurated it, in a way. *In June 1957, he was received by Pope Pius XII at the Apostolic Palace.*
It was during this trip to the eternal city that he took possession of the title of canon (chanoine) of honor of St John of Lateran, an ancient custom that had fallen into disuse under the Third Republic. […]
General Charles de Gaulle will visit the Vatican twice; […] He too will take possession of the title of Canon (chanoine) of Honor of the Lateran, devolved since Henri IV to the French Head of State. Valéry Giscard D'Estaing made no less than three visits to the Vatican during his seven-year term:
In December 1975, in October 1978 [taking possession of the title of canon (chanoine)], *then in January 1981. […]* **In 14 years of power, François Mitterrand only visited the Vatican once,** *in February 1982. […]*
Mitterrand will accept the title of canon (chanoine), but will not take possession of it. In January 1996, President Jacques Chirac paid a State visit to the Vatican, *the first since that of Charles de Gaulle in 1959.*
After an interview with Jean-Paul II, he took possession of his title of Canon (chanoine) of the Lateran. […]
Nicolas Sarkozy will visit the Vatican twice *during his five-year term in 2007* **[taking possession of the title of canon (chanoine)] […]**
François Hollande, elected in 2012, will be received by Pope Francis in January 2014. […] François Hollande will accept the title of canon (chanoine), but will not take possession of it”.
[En images, les visites des présidents français au Vatican. Taken from: https://www.vaticannews.va/fr.html (translated into English from the original text)].

Let’s complete with this other most apt text: **“[...] The title of “the first and only honorary canon (chanoine) of the Arch-Basilica of the Lateran” goes back to royalty and to Louis XI.**

It was reactivated by King Henry IV, who, after recanting his Protestant religion and receiving absolution from the Pope, donated the Benedictine abbey of Clairac, in Lot-et-Garonne, to the Lateran. In exchange, he received this canonical title, subsequently awarded to the kings of France.
Since then, a mass has been celebrated every year on December 13 in the Basilica of Saint John in Lateran, in Rome, in honor of France.
All the kings of France, then the heads of state, were honorary canons (chanoines), but it was not until 1957 that President René Coty came to Rome to really take possession of this title.
[…] The Elysee Palace specifies that the title of canon "is part of the package of the office of the president" and that "it cannot be refused". It is nonetheless symbolic, bringing the presidency closer to the Catholic Church, and rich in meaning for the French faithful – who are also voters. […]
Emmanuel Macron's choice is in line with his speech to the French bishops' conference, during which he expressed the wish to "repair" the "damaged" link between the Church and the State. […]
As the Observatory of Secularism, a commission under the responsibility of the government, reminds us, "secularism implies the separation of the State and religious organizations".
The deputy La France insoumise Alexis Corbière believes in La Croix that "as president of the secular Republic it is not correct to receive a religious title in this way, even in an honorary way" and calls on Emmanuel Macron to break with this tradition". *[Extract from: Pourquoi le président français devient-il chanoine de Latran? Emmanuel Macron, en visite au Vatican, a reçu mardi ce titre honorifique qui remonte à la royauté. Par Anne-Aël Durand et Samuel Laurent. Publié le 26 juin 2018 à 11h20. Taken from the site: https://www.lemonde.fr (translated into English from the original text)].*

We discover in these lines that the visit of French presidents to the pope is part of a long tradition in France inaugurated by President *René Coty,* in *1957.* And this, whatever their level of belief.

> Nevertheless, this step of the French presidents to visit the pope is a deliberate and well calculated political choice. This act of theirs is most likely due to the majority composition of Catholics in Europe.
> Following the example of Bonaparte with Pope Py VII, they hope to attract the good graces of the papacy.

Thus, the president of the Republic who would repeal the laws prohibiting Sunday work would be very badly seen by the pontiff and thus by Catholics. His political longevity could be seriously compromised.
To continue, let's look at the title of **"the first and only honorary canon (chanoine) of the Arch-Basilica of the Lateran".**

All this seems to be a good thing. Nevertheless, how can we accept that such a title, which has its origin in bloodshed, continues to exist in the Republic?

> To better understand this state of affairs, let us recall how this title of *"the first and only honorary canon (chanoine) of the Arch-Basilica of the Lateran"* was born.
> The reason for its existence is the persecutions, murders and despoilment, among others, of Protestants perpetrated by the Papacy throughout the ages.
> This title was originally attributed to monarchs of the past who had pledged allegiance to the Catholic Church and had supported these bloody deeds.
> History has taught us that, under the directives of the Papacy, these monarchs led civil wars during which all those who rejected Catholic dogma were mercilessly slaughtered.

Thus, by accepting this title, French Presidents have acknowledged to accept this bloody heritage of the works perpetrated by the Catholic Church, especially towards the Christian martyrs who observed the Sabbath.

In doing so, they pledge allegiance to the Pope and to Catholic dogma, as did the monarchs of the past.

Is this not completely unrealistic in a republic, like France, which is supposed to be secular and therefore not subject to religions?

This has been denounced by the *Observatoire de laïcité* and by a deputy of the France insoumise, as we have seen before!

Unfortunately, although France is a republic that is "no longer" under Catholic domination, it is still, like for the Sunday laws, a slave to this ancient religious rite that is "the title of canon" instituted by this religion. Where is the freedom?

This situation is Ubuesque.

We are faced with a government that, although it is disassociated from religions, has no latitude to abrogate an ancient religious custom.
To the point where here is what this text attributes the following to the French State:

"[…] The Elysee Palace specifies that the title of canon "is part of the package of the office of the president" and that "it cannot be refused".

How can the title of *"the first and only honorary canon (chanoine) of the Arch-Basilica of the Lateran"* continue to hold sway in the secular republic that is France?
Historical and current events therefore demonstrate to us that papal supremacy still prevails and that its domination over the leaders of nations is very real and timeless.

This reality is well represented in the second text that we saw earlier, and which presents the posture of the head of state Mr. Emmanuel MACRON.
To discover it, let's reread this extract from this text:

"[…] Emmanuel Macron's choice is in line with his speech to the French bishops' conference, during which he expressed the wish to "repair" the "damaged" link between the Church and the State. […]".

We have discovered here that Mr. Emmanuel MACRON's objective is to **"repair"** the **"damaged"** link between the Church and the State.

To understand the scope of the words of the President of the Republic, we must first of all question what has been damaged or broken between the (Catholic) Church and the (French) State and which in this century, and in the Secular Republic that is France, deserves to be repaired.

History, as we know, teaches us that the link that was broken between the Catholic Church and the French State was enacted by the *[(French) Loi du 9 décembre 1905 concernant la séparation des Églises et de l'État. Version consolidée au 19 mai 2011. Titre 1er : Principes. Articles 1 et 2],* which decreed, as we have seen, the separation between these two entities.

Thus, to **"repair"** the **"damaged"** link between the Catholic Church and the French State, it would be necessary to reform the French constitution to be able to move from a Secular Republic to a kingdom governed by a monarch, or to another form of governance where the State would be as before under Catholic dominance.

Thus, it is most certainly because of the reverence that these European leaders have for the Pope that these Sunday (dominical) laws persist.

In doing so, the issues of Sunday (dominical) laws have for centuries gone beyond the religious framework to take root in the political sphere because, in the shadows, the Vatican continues to weave its web of intolerance.

This is why declarations such as those concerning the foundations of Sunday laws can exist in France, of which here is an extract:

> **"[…] In the collective consciousness and history of France, Sunday plays a special role. […]** *Sunday is an historical, cultural and identity reference point for everyone, that constitutes a landmark in the week.* **It is therefore not a day like any other. […]"**

This text, by Mr. Bailly, let us recall, in its full form, supports the foundations of the new laws prohibiting working on Sundays in France.
Thus, when he states **"In the collective conscience and history of France",** he refers to the period when the French people were under the bloody yoke of the Catholic Church.
All these elements allow us to conclude unequivocally that Mr. BAILLY's report, the backbone of the Sunday laws, has a purely religious character, the essence of which no longer needs to be demonstrated.

Sunday laws have become established in the French political landscape, giving them longevity even though they are unconstitutional, because of their religious essence.

> Thus, all of the above allows us to affirm that this report by Mr. BAILLY has no place in French legislation, it should not be maintained, but repealed.

Finally, I ask you now, the members of the Council of State, as well as those of the Constitutional Council, what will you do on this day?
Are you going to continue to perpetuate this iniquitous heritage that Bonaparte left us, by letting this medieval law continue to discriminate against a part of the French citizens, while it is unconstitutional, or are you going to act either by contributing to their repeal, or to their reform, in order to restore equity.

May the following questions help you make your decision:

> *— Why does a law allowing Sabbath or Shabbat observers to "earn a living" by working on Sundays bother you?*
> *— How does it bother you if an employer finds it convenient to hire a Sabbath or Shabbat observer or observers who want to work on Sundays?*
> *— Don't we have the right to work whilst upholding our convictions?*
> *— Are we sub-human?*
> *— Why shouldn't we be entitled to the same chances of success as the rest of the French?*
>
> *And let us not talk about derogations that are impossible to apply for minorities, because the law must apply uniformly to everyone, since recent developments allowing DIY stores to work on Sundays show otherwise.*
> *Derogations do exist, so why should they not extend to us Sabbath or Shabbat keepers?*

It is important to note that working on Sunday and resting on Saturday is part of the Sabbath or Shabbat observers' faith framework.

> **Working on this day is therefore not demeaning or punitive for us.**
> Like the Sunday rest for Catholics, Saturday for us Sabbath or Shabbat observers, is the day established for worship, family, fraternity, fulfilment, physical and psychological rest, etc. It is a day of rest for all of us.
> Thus, in view of what I have developed, the objective is to allow for a more just appreciation of the dominical laws.
> The ultimate goal is to achieve either their repeal or their adaptation in order to stop this latent discrimination against Sabbath or Shabbat observers, whether young or adult.

16 Open Letter: Case to Repeal Catholic Sunday Law That Oppress Sabbath Observers and Shabbat Observers

On this day, I address all Sabbath and Shabbat observers and especially Seventh-day Adventists who have decided to make the Sabbath the essence of their doctrines. I come to you because this is a serious and solemn time.
I have undertaken a titanic struggle against the dominical laws that oppress us by prohibiting us, in several countries, including France, from working on Sundays.
These nations have as their legislative basis the dominical laws that the ancient Roman religion instituted and that the Catholic Church has taken over, at the cost of the *lowering, dispossession* (*spoliation*), *torture* and *genocide* of a myriad of Sabbath-observant Jews and Christians. I present this reality in my book entitled **"Infamy of the State"** in the chapter **"Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws".**

To get to the heart of the matter, I would say that Sunday laws play a major role in the final conflict to be waged on this earth. Here is the prophecy that Mrs. White leaves us on this subject: **"[…] But when Sunday observance shall be enforced by law, and the world shall be enlightened concerning the obligation of the true Sabbath,** *then whoever shall transgress the command of God, to obey a precept which has no higher authority than that of Rome, will thereby honor popery above God. He is paying homage to Rome, and to the power which enforces the institution ordained by Rome.*
He is worshiping the beast and, his image. **As men then reject the institution on which God has declared to be the sign of his authority, and honor in its stead that which Rome has chosen as the token of her supremacy, they will thereby accept the sign of allegiance to Rome 'the mark of the beast.'** *And it is not until the issue is thus plainly set before the people, and they are brought to choose between the commandments of God and the commandments of men, that* **those who continue in transgression will receive 'the mark of the beast.'** *- The Great Controversy, 449. TDOC 216.5." [EGW.Writings. The Doctrine of Christ. LESSON SEVENTY-THREE. The Sabbath Reform. The mark of the beast. Taken from the website: https://m.egwwritings.org/en/book/1387.2320#2320].*

Here again is what the Lord left us as instruction through Mrs. White: **"[…] God's word must be recognized as above all human legislation. A "Thus saith the Lord" is not to be set aside for a "Thus saith the church" or a "Thus saith the state."**
The crown of Christ is to be lifted above the diadems of earthly potentates. — *The Acts of the Apostles, 68, 69. ChS 161.3 […]* **We as a people have not accomplished the work which God has committed to us. We are not ready for the issue to which the enforcement of the Sunday law will bring us. It is our duty, as we see the signs of approaching peril, to arouse to action.** *Let none sit in calm expectation of the evil, comforting themselves with the belief that this work must go on because prophecy has foretold it, and that the Lord will shelter his people.* ***We are not doing the will of God if we sit in quietude, doing nothing to preserve liberty of conscience.*** **[…]**
Testimonies for the Church 5:713, 714. ChS 162.1. It is our duty to do all in our power to avert the threatened danger. We should endeavor to disarm prejudice by placing ourselves in a proper light before the people. We should bring before them the real question at issue, thus interposing the most effectual protest against measures to restrict liberty of conscience. — Testimonies for the Church 5:452. ChS 162.2. When God has given us light showing the dangers before us, how can we stand clear in His sight if we neglect to put forth every effort in our power to bring it before the people?
Can we be content to leave them to meet this momentous issue unwarned? — Testimonies for the Church 5:712. ChS 162.3 […]. **We have been looking many years for a Sunday law to be enacted in our land; and now that the movement is right upon us, we ask, Will our people do their duty in the matter?**

Can we not assist in lifting the standard, and in calling to the front those who have a regard for their religious rights and privileges? The time is fast approaching when those who choose to obey God rather than man, will be made to feel the hand of oppression. Shall we then dishonor God by keeping silent while His holy commandments are trodden under foot? While the Protestant world is by her attitude making concessions to Rome, let us arouse to comprehend the situation, and view the contest before us in its true bearings.
Let the watchmen now lift up their voice, and give the message which is present truth for this time. Let us show people where we are in prophetic history, and seek to arouse the spirit of true Protestantism, awakening the world to a sense of the value of the privileges of religious liberty so long enjoyed. — *Testimonies for the Church 5:716. ChS 163.1.* **The people of our land need to be aroused to resist the advances of this most dangerous foe to civil and religious liberty.** *— The Spirit of Prophecy 4:382. ChS 163.2 […]" [EGW Writings. Christian Service. Taken from: https://m.egwwritings.org/en/book/13.1131].*

I would say that when reading what is said here, one has the impression of being in another universe, that of the prophecies of the book of Revelation.
Nevertheless, what is presented is "palpable" and intelligible:

> As soon as laws proclaim the obligation of Sunday observance and men obey and choose to reject the Sabbath, sign of the Lord's authority, to submit to the laws of the papacy, father of the Sunday laws, established as the mark of the sovereignty of the pope, then the reality of **"the mark of the beast"** will be manifest.

In this context, she also calls us to awaken consciences, so that the truth may be brought to all and religious freedom preserved, the goal being that the word of God for the present time may be preached, despite the persecutions that will be put in place against those who refuse to "bend their backs" before the Sunday laws by choosing to reject them. In such a context, she exhorts the members of God's faithful people to stand firm in the face of what they will have to endure.
Mrs. White adds that **we are not faithful servants of God "if we sit in quietude, doing nothing to preserve liberty of conscience", especially that which we have in not wishing to observe the Sunday laws.** She tells us, moreover, in regard to these laws, that it is our duty as Christians to avert this danger which threatens us.
To do this, she invites us to **"thus interposing the most effectual protest against measures to restrict liberty of conscience"** and to **"to be aroused to resist the advances of this most dangerous foe to civil and religious liberty".**

We understand, then, that the directives left by Mrs. White call upon us to be ready to defend ourselves when national reforms shall have put in place the Sunday laws designed to restrict our religious liberty. And here we are! Based on what we have just seen, I would say that it is imperative for Seventh-day Adventists to see beyond the dominical laws, therefore the Sunday laws, because what is at stake in the invisible is titanic.
As we have just seen, the prophecy left to us by the late prophetess, Ellen G. White, who lived within the Seventh-day Adventist religion, presents the obligation to observe Sunday laws as being the sign of the last great conflict to be waged on this earth at the spiritual level. In doing so, Seventh-day Adventists have been on the lookout for decades, waiting for Sunday laws to be put in place, in order to fight them. However, I would say to you that the time for waiting is over because these laws are indeed in place. Indeed, Sunday laws are already oppressing us, the observers of the Sabbath and Shabbat. I am one of their victims because these laws have kept me in precariousness for the **last 27 years.**
I present this reality in my book entitled **"Infamy of the State"** in the chapter **"Brief career synopsis, philosophy of life and discriminatory oppression".**

By these Sunday laws, which I remind you are of a religious essence, because they have as their paternity the ancient people, the Romans, and as their maternity the Catholic Church, the observers of the Sabbath and the Shabbat of past centuries and of this generation, are discriminated against in terms of their possibility of professional success. This is particularly true for my profession, hairdressing, a profession where the large number of customers is on Saturdays.
This discrimination is also evident for all professions that do not have exemptions allowing them to work on Sundays, and who can generally do so only 5 times a year and this, during holidays, such as those at the end of the year.
These Sunday laws prohibit hiring on Sundays, these are therefore two consecutive days where an employee who observes the Sabbath or Shabbat and who finds employment in a hair salon, will not be able to work, the first on Saturday by his faith, the second on Sunday because of the Sunday laws.

And why this state of affairs?

I repeat, because of a religious law while France is a Secular Republic that prides itself on no longer being under the yoke of religions. If this situation is difficult for adults, Sabbath or Shabbat observers, it is even more so for our children when it comes to entering the world of work. Let's take the concrete case of young Sabbath or Shabbat observers who wish to work as hairdressers:

> In my book entitled **"Infamy of the State"** in the chapter **"Historical and legislative reality of the unconstitutional character of the Sunday laws",** I provide you with proof that these laws which are established in France impose that the day of rest for hairdressers and especially their apprentices be on two consecutive days, Sunday being obligatory.
> Which leaves as an alternative for the second day, Saturday or Monday.
> Saturday being the flagship day of this activity, hair salons have generally adopted Monday as their closing day. Closing on Saturday would be "financial suicide" for them because, on this day, it is often a third of the week's turnover that is made.
> Thus the young person who observes the Sabbath or the Shabbat, not being able to be there on Saturday, finds himself outside the legislative framework allowing him to become an apprentice hairdresser. The same is true for most of the other trades not benefiting from this exemption.

As you can see, the Sunday laws are already active. The time has come for us to fight for their repeal. I have initiated a process so that the French Constitutional Council can, under cover of the Council of State and the administrative judges of the Bordeaux Court of Appeal, repeal the dominical laws and the vaccinal laws against covid 19. The process I have undertaken is a QPC.
It should be noted that the legislative texts used as an argumentative basis in my legal file intended for the repeal of these laws were included in my book **"Infamy of the State".**

Thus, these supports presented in my book, being of supranational scope, they will be able to help, I believe, the French Sabbath and Shabbat observers to defend themselves, but also those of other nations who have suffered or are still suffering under these iniquitous laws. Now that these points have been established, for information, here are the bases of a QPC: **"The Council of State was led to rule on the question of the articulation of the mechanism of the priority question of constitutionality (QPC hereinafter), instituted by the constitutional reform of July 23, 2008, and the European legal order. Under the provisions of Article 61-1 of the Constitution, this procedure allows any person party to a trial or proceeding to argue that a legislative provision infringes the rights and freedoms guaranteed by the Constitution.**
If the question satisfies certain conditions, it is up to the Constitutional Council, seized on reference by the Council of State and the Court of Cassation, to rule and, where appropriate, to repeal the legislative provision concerned. […]"

[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 2-2 Un dialogue des Juges [4] a permis de concilier l'office du juge administratif Juge national et comme juge de droit commun du droit de l'Union Européenne. 2-2-1 le conseil Constitutionnel, le Conseil d'État et la CJUE ont jugé que le contrôle prioritaire de la constitutionnalité des lois était compatible avec le droit de l'Union. Taken from the website: https://www.conseil-etat.fr (translated into English from the original text)].

In this text, mention is made of *[(French) Article 61-1 de la Constitution "du 4 octobre 1958" (translated into English from the original text)],* let us discover its content by reading the following: **"When, during proceedings in progress before a court, it is argued that a legislative provision infringes on the rights and freedoms guaranteed by the Constitution, the Constitutional Council may be referred to this question upon referral from the Council of State or the Court of Cassation, which shall rule within a specified period.**
An organic law shall determine the conditions of application of this article."

In this text, an organic law is mentioned. Let us discover this excerpt which establishes a chilling reality about the fight that I have undertaken and which concerns all observers of the Sabbath and the Shabbat:
"The jurisdiction shall rule without delay by a reasoned decision on the transmission of the priority question of constitutionality to the Council of State or the Court of Cassation. This transmission is carried out if the following conditions are met: […]
"1° The contested provision is applicable to the dispute or procedure, or constitutes the basis of the prosecutions;
"2° It has not already been declared to be in conformity with the Constitution in the grounds and operative part of a decision of the Constitutional Council, unless circumstances change; [...]" *[(French) Article 23-2 de la LOI organique n° 2009-1523 du 10 décembre 2009 relative à l'application de l'article 61-1 de la Constitution (translated into English from the original text)].*

What is important to remember here is that if the Constitutional Council (French), in one of its decisions, has already declared that the text of the law that a citizen presents for repeal through a QPC was in accordance with the Constitution (French), a new QPC cannot be introduced to re-examine another request for repeal on the same subject. In practice, what does this imply?

> Thus, if this QPC that I filed, by which I request that the members of the Constitutional Council, under the cover of the administrative judges of the Bordeaux Court of Appeal and the members of the Council of State, be able to repeal the Sunday laws as well as the vaccinal laws against covid 19, is rejected, these unfair laws will then be recognized by the Constitutional Council as being in accordance with the Constitution, and they will never again be able to be repealed, unless circumstances change.

We are well aware that given the domination of the papacy over the nations, having allowed it to integrate the Sunday laws into their legislation, no new circumstances will be able to hinder the dominical laws.
Thus, if you do not support me in this fight that I am waging against these laws, these yokes will perhaps never be removed from us again.
Thus, this fight is not only mine, but also that of all the observers of the Sabbath and the Shabbat of this generation and those to come.
Not taking part in what is happening today, in order to win the case (win the battle) against the Sunday and vaccinal laws against covid-19, is to close, perhaps forever, this opportunity offered to us by the Holy Spirit.

> The time to wake up, Sabbath and Shabbat keepers has come!

This is even more true for you, Seventh-day Adventists, who keep the guidelines that the Lord left us through His servant, the late prophetess, Mrs. Ellen. G. White.
The time for this prophecy of the servant of the Lord, above recalled, presenting the characteristics of **"the mark of the beast", has come.**

> Let us remember, it was to be "set in motion" as soon as nations chose to elevate Sunday laws by giving them a place of honor in their legislation, thus obliging their citizens to observe them.

To continue, I would say to you that some of you must certainly live in nations where the Sunday laws do not oppress them, nevertheless, this does not prevent them from acting.
To understand this, we must not lose sight of the reality contained in *[1 Corinthians 12 verses 12-27],* presenting the people of God as an inseparable unit like our body.

> In doing so, when one part is in pain, it is the whole being that is in suffering.

Thus, the Lord, calling us to be the guardians of our brothers and sisters, even those who are not directly concerned by the oppression of these iniquitous laws incriminated in this letter, can act to support their their beloved ones in Christ.
All of you Sabbat and Shabbath keepers, and especially you who proudly bear the name of Seventh-day Adventist and who have the faith, as it is also my conviction, that Mrs. Ellen G. White was a prophetess of the Lord, you cannot remain idle while the Sunday laws oppress us.

It would therefore be desirable if the Protestant Christian peoples, especially the Seventh-day Adventists, could take a stand to combat these laws and to make the world aware of their iniquitous reality. On this day, sentinels of God, I need you who faithfully carry the standard of Christ to lead this crusade.
To do this, I invite you first to read my book entitled **"Infamy of the State",** available for free download on the following tab of my website:

- **https://www.kenny-ronald-marguerite.com/infamy-of-the-state**

In addition, there is also a French version of my book, under the title **"Infamie d'État"** which is also downloadable on the following tab of my website:

- **https://www.kenny-ronald-marguerite.com/infamies-d-etat**

After reading this book, I invite you to make it known by sharing it by: **email, Facebook, WhatsApp, Instagram, Tik Tok, etc.** The knowledge contained in this work must cover the surface of the earth as the water of the sea does for the oceans.

Based on the above and to allow you to judge the merits of this legal process that I have undertaken, I put the elements at your disposalthat may be useful for a better understanding of the case. To do this, you will simply need to make a request via the **"contact"** tab on my website, the address of which appears at the bottom of this letter.

Finally, I would say that I am moving forward with the support of the Spirit of God, and I have faith that you will hear my call and bring me your help.
Unity is strength, I hope that this book, which I am making available to you in English and French, will allow us to be heard by the greatest number and to be victorious.

P.S.: I am a French speaker and I translated this open letter myself, not having been able to hire a professional English-speaking proofreader since the urgency of the situation required that it be published as soon as possible. Please excuse me for any mistakes (grammar, spelling, etc.) that you find.

Maranatha,

Your servant, Kenny Ronald MARGUERITE.

Folder: various realities to take into account.

“In France and other countries, we have come to see the rights of citizens trampled underfoot by those who have sworn an oath to protect them, who hold power in their hands, who use it and abuse it, martyrizing those who are subject to them in the process. Nevertheless, the despotism of the iniquitously powerful only temporarily on they who are weaker than them!

For, through the pen and without violence, every oppressed person is destined to become the worst nightmare of those who demean them. Indeed, ink and paper are far more powerful than we give them credit for, for the knowledge that every citizen can acquire gives us the ability to change our future as individuals and as a nation.

In the history of mankind, many dominators who thought they were unshakeable have been overthrown by those they oppressed.

We have the example of the proud sans-culottes of the French Revolution, or in the West Indies, the proud and impetuous maroon negroes who rose up against the despotism of the iniquitous powerful who, at their whim, bullied weaker people than themselves without anyone raising an eyebrow. They thus broke the yoke of their dominators and became free men and women.

By my feather (pen), I bring you this powerful weapon, what is this book, so that certain chains of servitude which still remain in France and which are erected by those to whom the citizens have given power, can be broken.”

[Quote from Kenny R MARGUERITE].

17 Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE

Let us now look at the responsibility of the French State in the situation of exclusion and great poverty that Mr. MARGUERITE now experiences because of the repercussions of the laws, which are nevertheless unconstitutional, on his life and therefore contravene European law. To begin with, it is important to understand that French legislation has had to adapt to European legislation and must be subject to the latter.
The text *[Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. Introduction. Tiré du site internet : https://www.conseil-etat.fr]* establishes the following: *"The European Union right (EU) influences from now on increasingly diversified sectors of Member States' legislation, for example in economic and monetary legislation, banking law, asylum and immigration law. The acts of derivative right, regulations and directives, precisely cover very broad areas of our la*w.
By its institutional characteristics and the scale of its normative production, the European Union constitutes, according to the expression of the Court of Justice of the European Union (CJEU), a "legal order" in its own right which is integrated into the national legal orders of the Member States.
[…] In this context, the French administrative judge is led, within his field of competence, to apply and interpret European Union law. His case law fully ensures its integration into national law and establishes its special place in the hierarchy of standards."

As we can see, European law must be considered as an integral part of the law of its Member States because it covers a very broad field, we must now take into account European law. This reality has positive impacts or repercussions, because the range of European texts covers increasingly diverse sectors and increasingly influences legislation, particularly French legislation.
European case law is so dense that French administrative judges can fully use it on a daily basis, and they are called upon in this context to interpret and implement within the administrative courts the law established for all by the European Union.
Now let's discover in the following texts how European legislation has become established within the various legal texts of French administrations:

- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. Partie 2.1.2 le contrôle exercé par le juge administratif s'est adapté aux exigences propres du droit de l'union Européenne. Tiré du site internet: https://www.conseil-etat.fr]*,
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1) Le juge administratif assure pleinement l'intégration du droit de l'Union européenne dans l'ordre juridique national. 1-1 La reconnaissance des spécificités du droit de l'union par le juge administratif: Effet direct et primauté du droit de l'union Européenne. Tiré du site internet : https://www.conseil-etat.fr]*,
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-2 L'autonomie institutionnelle et procédurale : un mécanisme de subsidiarité juridictionnelle inhérente aux techniques d'application du droit de l'union. Tiré du site internet: https://www.conseil-etat.fr],*
- *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-3 La reconnaissance des spécificités du droit de l'union Européenne emporte des conséquences importantes pour l'administration Française. Tiré du site internet: https://www.conseil-etat.fr]*.

What we discover in these texts in connection with European law is crucial in the context of Mr. MARGUERITE's case.

We are informed that the administrative judge is called upon, when judging a case, to take into account first and foremost the European directives. He cannot consider and take as a basis for his judgment a French legal text, to the detriment of a European directive.

The thing is such that if an administrative act is based on a legislative provision instituted in France and which therefore finds its legitimacy in French legal texts while it is contrary to European Union law, it is presented as being devoid of legal basis and in doing so, the administrative judge must annul it.
Any standard, therefore any national text or writing, which would be contrary to or contravene a standard of European Union law must be annulled by the administrative judge. From reading these texts, it emerges that the supremacy of European laws over those of member nations, including France, implies that in their proceedings before national and European courts, citizens can rely on European texts to assert their rights.
Member States have an obligation to comply with them in their legal systems. Thus, when a State has not yet established a legal basis that is equivalent to that of the European Union and that allows its citizens to defend themselves in an equivalent manner, it is the European texts that take precedence.

In the above, we also see that French administrative judges are above all “ordinary law judges applying Union law” who fully ensure the integration of European Union law into the French legal order.
These texts also affirm that the rights conferred by European texts on citizens of Member States must be effectively applicable.

This dominance of European legislative texts over the French allows, in the event of a dispute between a citizen and an administration, the liability of the State to be incurred, which is in this case accused of violating European Union law, and this **“regardless of the State body whose action or omission was the cause”.**

Thus, as was the case with Mr. MARGUERITE, due to the behavior of these officials and the government's inaction to regularize the situation, the French State must be held responsible, in accordance with what European texts have established.
Thus, when an administrative authority implements administrative acts that contravene European Union law and, by extension, citizens, the French State is held responsible.

The primacy of the European Union over France and other Member States requires them not to apply certain laws that they have voted on but that contravene European texts. In this context, European States must **“instruct [their] services not to apply them”.**
In addition, the administration at the origin of these rules that contravene both European law and that of an individual must stop applying them, and the State that had implemented this text must cancel it, therefore repeal it. Now, here is a strong, very explicit image:

> To do this, we will tell you that what is good when we "hunt" on other people's lands, or when we come to eat the fruit of their harvest, is that they know the value of what is theirs.
> Thus, we do not have to come and teach them that their oranges are sweet as honey or that their game is tender.

By analogy, since this file is intended for administrative judges, the Council of State and the Constitutional Council (French), the content of this part did not even have to be supported to convince you of its merits.
Indeed, being from the pen of the Council of State, it is normally perfectly known to all of you. We will now see how the French State contravenes what we have just seen.
Now that we have discovered the bases that European law has laid down and to which France is subject, let us discover the responsibility of the French State for the damage that Mr. MARGUERITE has suffered under the yoke of the vaccinal laws against covid-19.

This reality that we have just presented is evident in the letters that Mr. MARGUERITE addressed to the President of the Republic and where he asked for his help, as well as in the feedback he received from various ministers and state organizations following his discussions with the Head of State. (see production no. 12).

To be clear about what we have just presented, it is important not to lose sight of the fact that what Mr. MARGUERITE experienced under the yoke of the covid 19 vaccinal laws is directly linked to the completely irrelevant behavior of this aforementioned official.
See part entitled **"New evidence on the responsibility of the civil servant Mr. Vincent GUILGAULT, as head of the FIP accounting department other categories, in the alleged external illegality".**

These facts cannot be ignored, because the French State or one of its representatives cannot commit acts that prevent justice from being done.
In this context, when the integrity of France is undermined by a representative of the State, to understand who must act, we must first consider *[(French) Article 5 de la Constitution du 4 octobre 1958]* which establishes the following:
"The President of the Republic ensures compliance with the Constitution. He ensures, through his arbitration, the regular functioning of public authorities as well as the continuity of the State. *He is the guarantor of national independence, territorial integrity and respect for treaties."*

The President of the Republic is the guardian or guarantor of respect for the French Constitution and treaties, and therefore of France's total adherence to European law. It is he who ensures, through his arbitration, the proper functioning of public authorities.
Thus, when a situation or acts committed in the Republic contravene the Constitution (French) or European law, he must intervene.

It is on this basis that Mr. MARGUERITE decided to send emails to the President of the Republic to present to him the violations of his rights by this oft-mentioned civil servant, in connection with the vaccinal laws. (see production no. 12).
These discriminations that he presented to the Head of State, had as a backdrop the unspeakable acts of this civil servant who, under cover of the vaccinal laws against covid 19, initiated the blockade that opposed Mr. MARGUERITE to the Lamentin tax service, meaning that he could not receive the solidarity fund, although he was entitled to it.

He also presented to the President of the Republic the reality of his extremely precarious state in which he found himself due to the non-payment of the solidarity fund, to the point where he could no longer provide for his most basic needs and pay child support to his children.
This reality is corroborated by this extract from the following email that Mr. MARGUERITE sent to the President of the French Republic on **March 22, 2021:**
"Good morning, I allow myself to return to your services, following my letter of 03/01/2021 in which I requested your help. Indeed, I highlighted the fact that the COVID aid for companies in difficulty was no longer paid for my two companies, both of which are publishing houses whose head office is located in Martinique (Le Lamentin).
I received a response from your chief of staff on March 5, 2021, who informed me that my request had been registered and was following its course.
I know that administrative delays are very long and that I am not the only one to be in difficulty, given the context, nevertheless, my situation is more than precarious.
I now live on less than the bare minimum, because the non-payment of this aid for weakened businesses, as well as the restrictions that have been put in place for culture, mean that to date, I only have the activity bonus, of €203.05, that the CAF pays me.

So, this month I have not been able to meet my expenses, and above all I have not been able to pay child support to my two children. […]" (see production no. 12).

In this email, as in his other letter that he cites here, Mr. MARGUERITE presents his situation of great precariousness to the President of the Republic.

This reality is also evident in this other email that Mr. MARGUERITE sent to the President of the Republic on **June 7, 2022:**
"Good morning Mr. President, my name is Kenny Ronald MARGUERITE, I have already come to you to tell you about the extremely precarious situation in which I found myself.
I am this company manager that a tax officer of Lamentin (Martinique) has robbed by refusing me the subsidy allocated to companies impacted by the health crisis due to COVID, while I was entitled to it.
This arbitrary decision has completely impacted my life, reducing me to receiving a social minimum lower than that of a homeless person. In doing so, I lived or rather survived thanks to the assistance of my relatives and with the complementary RSA amounting to 201, 16 € / month, revalorized to 286, 54 € / month (I am not eligible for the RSA "base" because of my status as a company manager).
More than a year ago, your chief of staff, Mr. Brice BLONDEL, gave me a feedback which made me hope that a favorable follow-up would be given to my request, unfortunately, it was not. If I allow myself to come back to you, it is because my situation has become unlivable, I can no longer continue like this, especially since the subsidy is owed to me.
In my previous letters, I announced that I would not remain silent if justice was not done to me. To this end, I undertook to rewrite my book in which I recount this descent into hell, I entitled it "Fight of a business leader that the vaccinal laws have despoiled and led to bankruptcy.
(Elements to defend his cause, as well as that of all unvaccinated)." *In this election period, when everyone is on the lookout for significant events, I sincerely believe that the content of this work can be of weight and I intend to make it available free of charge, to politicians and to as many people as possible, from June 8, 2022, 6 p.m., Martinique time.*
My book can be downloaded by clicking on the link below: https://kenny-ronald-marguerite.com/charte-de-defense-des-non-vaccinescontre-la-covid-19. For now and until 08/06/22, to access it, enter the code: [....].
As already presented, I would like to point out that I wrote this book because I could not accept such injustice without reacting and that my life was turned upside down without the people who could solve my problem having intervened.
But before its release, it seems to me wise to collect your position as Head of State, especially since the period lends itself to it.
However, given the deadline for the legislative elections, time being limited, I cannot delay its availability after the date previously mentioned.
I am therefore at your disposal for any comments or new facts that would allow me to delay its release.
Finally, I leave you a strong image which is presented as follows: **"Or what king, when he sets out to meet another king in battle, will not first sit down and consider whether he is strong enough with ten thousand men to encounter the one who is coming against him with twenty thousand?**
Or else [if he feels he is not powerful enough], **while the other [king] is still a far distance away, he sends an envoy and asks for terms of peace".** *[Luke 14 verses 31-32, Amplified Bible (AMP)].*
I leave this advice to your meditation. May the Lord give you the wisdom you need in this matter. Yours sincerely, Mr. Kenny Ronald MARGUERITE". [translated into English from the original text]. (see production no. 12).

In return for these two emails from MARGUERITE, through his chief of staff Mr. Brice BLONDEL, the Head of State sent him two letters and assured him that the Prefect of Martinique and Ms. Olivia Grégoire, Minister Delegate to the Minister of the Economy, Finance and Industrial and Digital Sovereignty would contact him in order to find solutions to the problems he had submitted to him in his messages and which presented the discrimination he was experiencing. (see production no. 12).

It is true that in accordance with what the Head of State announced, Mr. MARGUERITE was indeed contacted by the Prefect of Martinique and by Ms. Olivia Grégoire, Minister Delegate to the Minister of the Economy, Finance and Industrial and Digital Sovereignty. (see production no. 12). However, the prefect, in his letter of April 28, 2021 to Mr. MARGUERITE, informed him that the Commissioner for Business Life and Productive Development would contact him, this was never followed up.
The same is true for Ms. Olivia GRÉGOIRE, Minister Delegate to the Minister of the Economy, Finance and Industrial and Digital Sovereignty who, in the letter that her chief of staff sent on September 26, 2022 to Mr. MARGUERITE, assured him of a diligent examination of the aid that could be provided to him. It was further specified that to do this, he would be contacted by Mr. Jérôme FOURNEL, Director General of Public Finances in order to take stock of his file, the latter having to keep her directly informed of the follow-up that could be reserved.
Mr. Jérôme FOURNEL never contacted Mr. MARGUERITE. See section entitled **"New evidence on the responsibility of the civil servant Mr. Jérôme FOURNEL, as Director General of Public Finances, in the alleged external illegality".**
What we have just seen unequivocally establishes the responsibility of the French State in the discrimination and the state of exclusion and great poverty in which Mr. MARGUERITE finds himself today.

To understand the reality of the State's responsibility in the situation that Mr. MARGUERITE had to face and which led him to bring this case before the courts, we must not lose sight of the fact that in this email of June 7, 2022 (see production no. 12), he highlights the extremely precarious situation in which he finds himself, having as an income the supplementary RSA of an amount of **€201.16 / month,** revalued to **€286.54 / month.**
It is important to note that when Mr. MARGUERITE specifies in this email sent to the President of the Republic **"I am not eligible for the RSA "base" because of my status as a company manager",** this reality referred to the solidarity fund that he was supposed to receive. Indeed, he could not claim the RSA base because of the payments already made for the solidarity fund which was then, on average, 1,500 euros. (see productions n° 28 and 29). However, when this subsidy was not paid to him, he found himself with resources lower than the social minimums.

In his email of June 7, 2022 (see production n° 12), Mr. MARGUERITE also presents what is the basis for this unconstitutionality of the vaccination laws against covid 19 which finds its reason for being in the fact that these laws contravene the supranational bases of the **"Declaration of Helsinki"** which is imposed on European States. Mr. MARGUERITE's book made available to the President of the Republic reported these realities; the same is true for the brief he provided on January 2, 2023 via the citizen's tele-appeal in the context of his case no. 2200745 (see productions no. 39 and 40).
It should be recalled that the defendants in Mr. MARGUERITE's case No. 2200745 (recorded on December 22, 2022 by the Administrative Court of Martinique) are, among others, the General Secretariat of the Government and the Ministry of Economy, Finance and Industrial Sovereignty.
Therefore, the French State could not ignore the unconstitutional nature of the covid 19 vaccinal laws, nor the great precariousness, therefore the state of poverty in which Mr. MARGUERITE found himself and still finds himself.

Thus, to understand the responsibility of the French State in the face of what Mr. MARGUERITE experienced, under the yoke of the vaccinal laws against covid 19, we must not lose sight of this essential element, the unconstitutional nature of these laws.
This reality, as well as the situation of exclusion and great precariousness in which Mr. MARGUERITE, the President of the Republic, found himself and still finds himself, and therefore by extension the General Secretariat of the Government and the Ministry of Economy, Finance and Industrial and Digital Sovereignty-DAJ, were and still are fully aware of it, as we have seen, but have allowed the situation to continue.

From the above, it follows that the French State is liable in this case against Mr. MARGUERITE because, having knowledge of the unconstitutional nature of the vaccinal laws against covid 19, which contravene the “Declaration of Helsinki”, a legislative text with supranational value, therefore which constrains the European States which have the obligation to apply it in their legislation.
Thus, the Head of State and his government should not have freed themselves from this obligation and should have taken the necessary measures so that these laws are repealed. Indeed, the vaccinal laws against covid 19, although suspended, still retain legitimacy because they are not repealed, which, in accordance with what we have just seen, this repeal should have been implemented by the French State, in accordance with the provisions of European law.

We will now look at the responsibility of the French State in the difficulties that Mr. MARGUERITE still encounters in terms of his professional reintegration, keeping him still in precariousness.
We have already seen it, because of the vaccinal laws against covid 19 and their repercussions on his future post coronavirus, not having the means to pay a deposit and rent for a new home, from then on, he came to swell the ranks of the homeless (SDF).
As we have seen, Mr. MARGUERITE is currently being hosted by a friend free of charge and is being monitored by the SIAO (SAMU SOCIAL “le 115”) of MARTINIQUE, in order to submit an application for CHRS housing (*this acronym describes the accommodation and social reintegration centers that provide reception, housing, support and social integration for individuals and families experiencing serious difficulties in order to help them in a process of accessing or returning to autonomy*). (see production no. 20).

Furthermore, no longer being able to provide for his most basic needs, he was able, on August 19, 2024, to join the inclusion jobs program intended to reintegrate those who are excluded, registered under **PASS IAE number: 999992708306. (see production no. 20).**
Let's now look at what social inclusion or exclusion (French) is, by reading an excerpt from the text *[Ministère du Travail de la Santé et des solidarités. Définitions et mesures du CNLE. Taken from the website: https://solidarites.gouv.fr/definitions-et-mesures-du-cnle (translated into English from the original text)]* which establishes the following: **“[…] Social inclusion: The concept of social inclusion** *was used by the German sociologist Niklas Luhmann (1927-1998)* **to characterize the relationships between individuals and social systems. Social inclusion is considered the opposite of social exclusion.**
It concerns the economic, social, cultural and political sectors of society*. […]
Social exclusion [...] We simply speak of social withdrawal which designates an essentially economic poverty, in the process of disappearing due to economic growth and social protection institutions. […]
The concept of social exclusion goes beyond that of poverty since it corresponds to the non-realization of basic social rights guaranteed by law. […] Definitions of poverty: Approaches to the concept of relative poverty: […] Poverty is the state, the condition of a person who lacks resources, material means to lead a decent life (Trésor de la langue française). […] Precariousness is the absence of one or more of the securities allowing individuals and families to assume their basic responsibilities and enjoy their fundamental rights.

[…] Definitions of monetary poverty: […] The poverty threshold is determined in relation to the distribution of living standards of the entire population. Thus, the European poverty threshold is now set below 60% of the median income. […]"

For greater consistency in what we want to develop, it is important to complete what we have just seen with the text *[Observatoire des inégalités. À quels niveaux se situent les seuils de pauvreté en France ? Publié le 17 juillet 2024. Taken from: https://inegalites.fr/A-quels-niveaux-se-situent-les-seuils-de-pauvrete-en-France (translated into English from the original text)]* which establishes the following:
"[…] A person living alone is considered poor in France when their monthly income is less than 811, 1,014 or 1,216 euros (2022 data according to INSEE), depending on whether we use the poverty threshold set at 40%, 50% or 60% of the median standard of living. *The median standard of living refers to the amount for which half of the people receive less and the other half more."*

In order to be able to fully understand the discrimination and loss of opportunity that the French State has caused to Mr. MARGUERITE, because of the vaccinal laws against covid 19, we must consider this extract of text *[Observatoire des inégalités. Salaires : combien gagnent vraiment les Français ? Taken from: https://inegalites.fr/Salaires-combien-gagnent-vraiment-les-Francais (translated into English from the original text)]* which establishes the following:
"[…] In France, the average monthly salary is *1,800 euros according to INSEE [1], all employees combined except interns, agricultural workers and cleaning ladies employed by individuals. This average hides differences (deviations). Women earn 1,600 euros on average, men 2,000 euros. Workers, 1,300 euros,* **senior executives, 3,500 euros. This is what everyone really earns. […]"**

These texts that we have just seen present to us the realities that were those of Mr. MARGUERITE before the sanitary crisis and those that he knows now, because of the vaccinal laws against covid 19. Before this terrible pandemic, his average monthly income was **3,500 euros (see production n° 4)** that is to say that of an executive, therefore well above the average monthly salary which is **1,800 euros.**

Now, his income being less than **811 euros monthly (see production n° 3, 4, 14, 18),** which is however the basis establishing that a person is poor, his situation is therefore very precarious and he lives in exclusion.
This reality is corroborated by the fact that he was able to join the inclusion jobs program intended to reintegrate those who are excluded, registered under the **PASS IAE number: 999992708306** and that he had to put in place a request for assistance with the **SAMU SOCIAL (115) of MARTINIQUE. (see production no. 20).**

This inclusion employment program as well as the CHRS housing program in which Mr. MARGUERITE was able to register demonstrate that he is in social exclusion and lives in economic poverty.
Thus because of the discrimination that Mr. MARGUERITE suffered, under the yoke of the vaccinal laws against covid 19 and whose repercussions continue to persist, **he went from the status of business leader whose average monthly income, before the sanitary crisis due to the coronavirus, was of the order of 3500 euros to a status of homeless and excluded from society.**

Now that these bases are laid, to understand the responsibility of the French State in what Mr. MARGUERITE experienced and is still experiencing, let us look at the obligations that the French government has in terms of social inclusion, by reading this other extract from the text *[Ministère du Travail de la Santé et des solidarités. Définitions et mesures du CNLE. Taken from the website: https://solidarites.gouv.fr/definitions-et-mesures-du-cnle (translated into English from the original text)]* which establishes the following:

"[…] Active inclusion: Inclusion concerns both Europe and each Member State. The European Commission gives a definition of active inclusion:**
Active inclusion is about enabling every citizen, including the most disadvantaged, to participate fully in society, and in particular to exercise a job. In concrete terms, to achieve this objective, it is necessary to:

- **Adequate income support as well as support in finding employment, for example by linking benefits to inactive and active people, and helping people obtain the benefits to which they are entitled;**
- *Labor markets open to all by facilitating entry into these markets, tackling in-work poverty and avoiding the vicious circle of poverty, as well as factors discouraging work;*
- **Access to quality services that help citizens to participate actively in society, and notably to return to the job market.**

For the commission, "Active inclusion aims to address different problems: poverty, social exclusion, the poverty of those who work, *segmentation of labour markets, long-term unemployment, inequalities between men and women". […]*
Is an excluded person still a citizen? : Legally, a French citizen enjoys civil and political rights and fulfills (acquits himself) obligations towards society. *The citizen therefore has a special quality that allows him to take part in public life.*
The citizen has different types of rights: Civil rights and essential freedoms: *Right to marry, to be an owner;* **right to security, to equality before the law, before justice** *and in access to public employment; freedom of thought, opinion and expression, of religion, of movement, of assembly (of meeting), of association or of demonstration;*
[…] Social rights: right to work, *right to strike, right to education, to Social Security.*
The [loi n° 98-657 du 29 juillet 1998 d'orientation relative à la lutte contre les exclusions], in its article 1, **"aims to guarantee effective access for all to fundamental rights throughout the territory in the areas of employment,** *housing, health protection,* **justice, education, training and culture, protection of the family and childhood".**
National solidarity: […] State intervention in economic and social life appears necessary in order to combat poverty and inequalities and to ensure national cohesion. This awareness is enshrined in the preamble to the French Constitution of 1946 (taken up by that of 1958), which guarantees the right to work, health protection, access to education, material security […]".

This text presents us with the obligations incumbent on the French State in terms of inclusion. We first discover that inclusion is not a matter that only concerns the European Union because each of its Member States must **"enabling every citizen, including the most disadvantaged, to participate fully in society, and in particular to exercise a job."**
To achieve this objective in concrete terms, each European State must allow each of their citizens to have adequate income support and help them obtain the benefits to which they are entitled. We have also seen that for the European Commission, **"Active inclusion aims to address different problems: poverty, social exclusion, the poverty of those who work,** *segmentation of labour markets, long-term unemployment, inequalities between men and women". […].*

We have also seen that a person who is in a state of exclusion, among other things financial, always remains a citizen and has rights which include: **Civil rights and essential freedoms: right to security, equality before the law, before justice […] Social rights: right to work...**
French legislation has also established that the *[(french) loi n° 98-657 du 29 juillet 1998 d'orientation relative à la lutte contre les exclusions], in its article 1,* **"aims to guarantee effective access for all to fundamental rights throughout the territory in the areas of employment,** *housing, health protection,* **justice, education, training and culture, protection of the family and childhood".**

To conclude with this text, we also discovered that the State was required to fight against poverty and inequalities and to ensure national cohesion, these realities being **“in the preamble to the French Constitution of 1946 (taken up by that of 1958), which guarantees the right to work, health protection, access to education, material security […]”.**

Based on what we have just presented, we can affirm that Mr. MARGUERITE was discriminated against, because he was unable to fully enjoy the obligations that **the State is required to ensure for every citizen, including the most disadvantaged, to participate fully in society and in particular to exercise employment, or to be able to enjoy access to education, training and material security without discrimination.**
To tell you about it, we will tell you that after the death of his mother, having lost his premises that the latter had made available to him, he registered with Pôle emploi. In order to be able to integrate, he applied for a new diploma training course in hairdressing which was to take place from January 8, 2024 to June 18, 2024, at Greta in the Paris region.

He was accepted and Pôle Emploi confirmed the coverage of this training, as well as the price of the plane ticket, and an allowance was to be paid to Mr. MARGUERITE. (see production no. 17). As this training took place over 2 days per week, Mr. MARGUERITE had agreed with the manager of the company MADIN' BEAUTY to establish a working partnership. (see production no. 17).
Thus, he would take advantage of the other days when he would not be in training to collaborate with this structure in order to carry out hair assessments, hold seminars, workshops around the theme of hair management for black and mixed-race women. (see production no. 7). Unfortunately, the training was cancelled by GRETA, the number of participants being insufficient. (see production no. 17).

Let us now come to the responsibility of the State in what we have just presented. This qualifying training being a great plus for the professional future of Mr. MARGUERITE, as a hairdresser advising on hair problems for black and mixed-race women, he approached another school a few months later which was actually supposed to offer this training.
Having already been entitled to have this training covered by Pôle Emploi a few months earlier, he therefore approached France Travail in order to reapply for coverage, but, to his great surprise, this training was no longer covered by this organization since it became France Travail. (see production no. 17).
France Travail has probably revised its conditions for validating the coverage of training. This reality is evident in the words of Fabrice GERONIMO, the director of France Travail in Lamentin (MARTINIQUE), who publicly declared the following about Mr. MARGUERITE:

> “In the case you presented to me, there are several things. I could not go into detail and give you the most detailed answer possible.
> But what I want to tell you is that France Travail... the CTM remains at the side of these job seekers, but we prioritize, in light of these budgetary constraints, training actions that allow a significant return to employment.” *(translated into English from the original text).*

You can watch this interview with the director of France Travail du Lamentin (MARTINIQUE) which is in French, in the report, broadcast on the Martinique la 1re television news, on August 3, 2024 (see the second subject presented on the news) using the following link:
https://la1ere.francetvinfo.fr/martinique/programmevideo/la1ere_martinique_journal-martinique/diffusion/6327959-edition-du- samedi-03-aout-2024.html

Let us return to the statements of Fabrice GERONIMO, which we have just discovered, because he demonstrates a most surprising paradox. He states, regarding the rejection of Mr. MARGUERITE's request for training by France Travail, that:

> **“[…] we prioritize, in light of these budgetary constraints, training actions that allow a significant return to employment”.**

It is important not to lose sight of the fact that this training that Mr. MARGUERITE requested from France travail and which was rejected had already been accepted by Pôle Emploi, which demonstrates that it was an **“actions that allow a significant return to employment”,** otherwise it would not have been accepted in advance. (see production no. 17).

This fact is also proven in reality, because it should be noted that as this collaboration was one of the only possibilities left to Mr. MARGUERITE to resume his professional activities, he tried to put in place the various steps that would allow him to make his trip to metropolitan France and settle there temporarily, among other things, he requested mobility assistance for the plane ticket from ADOM, which was granted to him and he also approached social landlords in Île-de-France. (see production no. 17).
Unfortunately, his request did not receive a favorable opinion, given the very low 2023 turnover for his companies (see productions no. 3 and 4).
In doing so, since the training support was rejected by France Travail, Mr. MARGUERITE's collaboration with MADIN' BEAUTY was no longer possible.

Today, given these elements, he cannot consider leaving under these conditions and he therefore still finds himself in a very precarious situation.
However, by refusing to take charge of this training which had been approved by Pôle Emploi, France Travail has thus penalized Mr. MARGUERITE and contravened his rights listed above, and which are, we remind you, defined as follows:

> **The State is required to ensure that every citizen, including the most disadvantaged, can participate fully in society and in particular can be employed, or can enjoy access to education, training and material security without discrimination.**

Other facts that imply the responsibility of the French State have come to hinder his reintegration, these are the repercussions of the Sunday laws which force him not to work on Sundays as an employee of a hairdressing salon, and this while he does not work, to respect his faith, on Saturdays.
We present this reality to you in the section **“Brief career synopsis, philosophy of life and discriminatory oppression”.**

It is important to note that the Sunday laws are obstacles that also keep Mr. MARGUERITE in a precarious situation for years, while they are unconstitutional. Because of the discrimination that Mr. MARGUERITE has suffered, under the yoke of the Sunday laws, which are nevertheless unconstitutional, damages will be claimed.

In the sections entitled **“Historical and legislative reality of the unconstitutional character of the Sunday laws”** and **“Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws”,** we provide you with evidence that these laws are unconstitutional and contravene European law.

This reality is due to the fact that the Sunday laws are of a religious nature, because they have been supported for centuries by the Catholic Church and they have created discrimination against French people who observe the Sabbath or Shabbat, preventing them from having the same chances of succeeding in their professional lives as the rest of the citizens.

Based on what we have just seen, it is clear that the Sunday laws being in “contrary” both with the French constitution which does not recognize any religious basis and with European legislation, they should never have seen the light of day and especially imposed on all French people under constraint.

Unfortunately, it is clear that this is not what happened in the case of Mr. MARGUERITE and the Sunday laws. It all started because he had suffered all these losses with his companies because of the restrictions of the vaccinal laws against covid 19.
No longer able to carry out his activities in his companies, which were on technical unemployment due to lack of finances, he began looking for a job.

However, because of the Sunday laws, he was hindered. He therefore requested by registered letter with acknowledgment of receipt intended for the DEETS of Martinique on August 12, 2022, a request for an exemption which would allow him, as an observer of the Sabbath, to work as an employee for an employer every Sunday, especially since some companies were in favor of it. (see production no. 35).
Then, to defend his case, Mr. MARGUERITE also filed a hierarchical appeal with the General Directorate of Labor (DGT) on January 26, 2023. (See production no. 37).

These two letters remained unanswered and nothing was undertaken, neither by DEETS nor by the DGT, with a view to setting up the mandatory process that the European Union has instituted, with a view to its Member States and their administration being able to remove from their legislation any text or law that contravenes European law.
In accordance with what we presented at the beginning of this chapter, following the letters from Mr. MARGUERITE which provide evidence of the unconstitutional nature of the Sunday laws that contravene European law, these two administrations should have **"instructed [their] departments not to apply"** these laws and ensure that they are repealed.

Thus, as soon as Mr. MARGIERITE wrote to the DEETS and the DGT, the French State should not have waited for the judges, the Council of State and the Constitutional Council to rule on the unconstitutional nature of the Sunday laws and their repeal.

Indeed, European legislation requires it to remove any text that contravenes European law. In doing so, since Sunday laws are unconstitutional, as the French State has allowed their perpetuation in its legislation, its liability is therefore engaged in the discrimination that Mr. MARGUERITE has suffered and which is still his, due to their application.

As is the case for the vaccinal laws against covid 19 and the Sunday laws, France is therefore required to act in order to implement the process necessary for their repeal. Having failed to react, these administrations, the (French) Directorate of Economy, Employment, Labor and Solidarity (DEETS) and the (French) General Directorate of Labor (DGT), have engaged France's liability in the context of the unconstitutional nature of Sunday laws that contravene European law.

We have just seen the responsibility of the French State in the obstacles that were put in place and which, through unconstitutional laws, led Mr. MARGUERITE to go from being a business manager earning an average of **€3,500 per month** before the pandemic to being a homeless person. Let us now discover other facts.

He had as income to live on for the month of September 2024 (apart from the €265 housing benefit paid to his landlord), **€323.42** RSA, **€31.57** activity bonus and **€50** for his professional income, i.e. **€404.99** to live on (see productions no. 14 and 18).
It is important to remember that the minimum subsistence level that must be provided by the State to a citizen is, since **April 1, 2024,** in Martinique, **€598.73,** which represents the amount of the RSA.
To find out more, I invite you to consult the following links:

- *[Le revenu de solidarité active (RSA) – Drees. PDF. Tiré de : https://drees.solidarites-sante.gouv.fr. 2021-09].*
- *[Outre-mer : le revenu de solidarité est revalorisé. Tiré de : https://www.service-public.fr/particuliers/actualites/A15530].*

We already understand that Mr. MARGUERITE, by having only had €404.99 to live on in September 2024 instead of €598.73, the amount of the mandatory minimum subsistence that every citizen must receive in Martinique (French), the French State has contravened the *[(French) Article 11 du Préambule de la Constitution de 1946 (translated into English from the original text)]* which establishes the following:
"It guarantees to all, *especially to the child, mother and old workers, the protection of health,* **material security,** *rest and leisure."*

Now that this basis has been established, we will present to you the reasons that led to such a situation. To do this, we will tell you that because of the repercussions of the covid-19 vaccinal laws that forced Mr. MARGUERITE and his companies into technical unemployment, the situation at the end of the health crisis was such that in order to have a minimum of resources, he was forced to apply for basic RSA, which was granted to him from February 21, 2023. (see production no. 14).

From then on, the RSA was taken into account for Mr. MARGUERITE until January 2024. (see productions no. 14 and 18). From then on, the CTM (the territorial community of Martinique) automatically put Mr. MARGUERITE's rights to the RSA back under review and in doing so, his file remained under investigation for 5 months.
In doing so, during this long, very long time of studying Mr. MARGUERITE's RSA file, for certain months, such as April 2024, (apart from the €265 housing allowance paid to his landlord), this income was €31.57 in activity bonus and €35 in professional income, or €66.57 to live on (see productions no. 14 and 18).

According to Mr. MARGUERITE, it is inconceivable that the territorial community of Martinique (CTM) charged by the State with the management of the RSA, could take 5 months to process a file, which was a renewal (see production no. 14) while leaving him, during this time, in total destitution. In addition to what has just been described, it is important to note that after the 5 long months during which Mr. MARGUERITE's RSA file was under investigation by the CTM, the payments were indeed made but with calculation errors, in light of the elements provided. (see production no. 14).

Indeed, for the year 2022, the tax results of his company (as well as the income) of Mr. MARGUERITE were €1,231.65, which resulted in a payment of RSA of €508.13 per month for the months of November and December 2023.
On the other hand, while for the year 2023, the tax results of his company (as well as his income) were lower since they were €908.67, yet he was allocated for the months of May, June and July 2024, the sum of €307.02 per month for the RSA.

In order for the situation to be resolved, Mr. MARGUERITE sent a complaint to the President of the CTM, which was received by this administration on August 5, 2024. (see production no. 14). Unfortunately, there was no response within the legal two months.
In doing so, Mr. MARGUERITE continues to receive an amount of RSA reduced by almost €200 per month. He is therefore still discriminated against, by having an income below the minimum subsistence level. His rights are therefore violated and the State is held responsible.
To continue, it is important not to lose sight of the *[(French) Article 5 de la Déclaration des droits de l'homme et du citoyen de 1789 (translated into English from the original text)]* which provides the following: **"[...] Everything that is not forbidden by the Law cannot be prevented, and no one can be forced to do what it does not order".**

This text corroborates the above. Without a valid law, no constraint can be exercised on a French citizen, thus, these two laws, vaccinal against covid 19 and Sunday, contravening European texts, they cannot therefore continue to find, any longer, a sustainability in France, a member state of the European Union, subject to European legislation, therefore, they must be repealed.

If such facts continue to be perpetuated, therefore unconstitutional laws and which contravene European law which would continue to have a sustainability in France with the perfect assent of the legislators without the President of the Republic who is the guardian or guarantor of the Republic, intervening, in order to put into action the process to repeal these laws and so that their victims are compensated, it would be the symbol, of the rejection of the dominance of European law over France.

In this context it would be the end of the French Republic as we know it, this reality has as its main axis this text *[(French) Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1) Le juge administratif assure pleinement l'intégration du droit de l'Union européenne dans l'ordre juridique national. 1-1 La reconnaissance des spécificités du droit de l'union par le juge administratif : Effet direct et primauté du droit de l'union européenne. Taken from the website: https://www.conseil-etat.fr (translated into English from the original text)],* which establishes the following:
"For the ECJ, the primacy of European law over national laws is absolute: all European acts with binding force benefit from it, whether they come from primary law or secondary law, and all national acts are subject to it, whatever their nature (ECJ, 17 December 1970, Internationale Handelsgesellschaft, C/ 11-70)**, therefore including constitutional ones. […]**
The Council of State has gradually extended the benefit of the regime of Article 55 of the Constitution to all legal acts of the European Union, which it has agreed to give precedence over laws [...]"

We discover here that European law prevails over all French legislation, and even over our constitution. Thus, as no one is supposed to be ignorant of the law and even less those established to be its guarantors and to enforce it, in doing so, by not repealing the vaccinal laws against covid 19, and the Sunday laws, the French State contravenes European law and thereby *[(French)Article 55 de la Constitution du 4 octobre 1958].*

In doing so, by these acts that we have just presented, the French State directly contravenes its constitution and by extension, if this state of affairs continues, signs the end of the Fifth Republic, because this is what the *[(French) Article 16 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)]* has established:
"Any society in which the guarantee of rights is not assured, *nor the separation of powers determined,* **has no constitution".**

By having established the supremacy of European law over its legislation including its constitution, in doing so, as a European state, when France contravenes European directives, it also flouts its constitution and therefore finds itself in a state of anarchy.
Everything we have just seen is not acceptable because the legislative texts of the European Union prevail over those of its Member States, of which France is a part.

The legislation of the Member States of Europe, therefore of France, is subject to the legislation of the European Union and the law resulting from the European institutions must therefore be integrated into the legal systems of these Member States which are obliged to respect it.

This primacy of European law over the law of the Member States is absolute.

Thus, as we have just demonstrated, with supporting evidence, the responsibility of the French State is well and truly engaged in the situations that we denounce because, for many months, the unconstitutional nature of the vaccinal laws against covid 19 and the Sunday laws has been brought to the attention of various French administrations and nothing has been done to repeal them, to allow those who have been largely impacted by these discriminatory and unconstitutional laws to be compensated.

18 Bases presenting the responsibility incumbent on the French State in the establishment of incomplete laws in the management of the discipline of civil servants who are at fault and in the damages they have caused to Mr. MARGUERITE

Let us now look at another area where unconstitutional or incomplete laws have come to flout, in all “legality”, the rights of the French and for which the responsibility of the French State is also engaged.
To tell you about it, we will tell you that we live in France, within a secular Republic, whose established rules allow that civil servants are not personally prosecuted when they commit a professional fault, except in the case of personal fault separate from the exercise of their functions, from then on their responsibilities can be engaged by the citizen who has been harmed *[(French) Article L134-2 du Code général de la fonction publique].*

This is what should normally be done, but we are far, far from it. To explain things, we will present you with a concrete demonstration of what the legislation says and what happened in reality and which seems to illustrate what is called **“the spirit of the law to the detriment of the law itself”.** To support our statements, we must take into account the realities presented in the following:

- *[Article 4 de la Déclaration des Droits de l'Homme et du Citoyen de 1789],*
- *[Article 5 de la Déclaration des Droits de l'Homme et du Citoyen de 1789].*

Here we discover that our freedom stops when our actions will harm our neighbor. The limit of our freedom is determined by the law, which is established in order to defend the harmful actions that some do to others. Finally, if a law has not decreed a ban, citizens are not required to submit to it. In administrative matters, it has been established in the following texts that civil servants have obligations:

- *[(French) Articles L121-8, L121-9, L530-1 du Code général de la fonction publique],*
- *[(French) Article 27 de la Loi n°83-634 du 13 juillet 1983].*

Civil servants are responsible for carrying out the tasks assigned to them, even if they have delegated this task to a subordinate. Among these tasks, they are required to satisfy citizens' requests for information. If a civil servant contravenes one of these bases, he is at fault and must be sanctioned.
We find ourselves here in the context where the fault of Mr. Vincent GUILGAULT, with regard to Mr. MARGUERITE, is recorded, it is described in the part entitled **“New evidence on the responsibility of the civil servant Mr. Vincent GUILGAULT, as head of the FIP accounting department other categories, in the alleged external illegality”.**
In the event that a civil servant violates his obligations and flouts the rights of a citizen, firstly, the individual must make an appeal which may be, among other things, hierarchical, according to the bases of the *[(French) Article L410-1 du Code des relations entre le public et l'administration].*

Once this appeal has been put in place, everything is in the hands of the superiors of the offending official, who must normally put in place the terms of the *[(French) Article L532-1 du Code général de la fonction publique]* which establishes the following: **“The disciplinary power belongs to the authority invested with the power of appointment or to the territorial authority which exercises it under the conditions provided for in sections 2 and 3.”**

Let's also consider the text *[Sanctions disciplinaires dans la fonction publique. Extrait de la partie : Procédure disciplinaire. Taken from the website: Le site officiel de l'administration Française : https://www.service-public.fr]* which establishes the following:

“[…] The disciplinary board is notified by a report from the administration. This report indicates the facts alleged against the civil servant and the circumstances in which they occurred. The civil servant is summoned by the chairman of the disciplinary board at least 15 days before the meeting date, by registered letter with acknowledgement of receipt.
[…] The disciplinary board deliberates in the absence of the civil servant being prosecuted, his or her defender(s) and the witnesses. It makes its decision by a majority of the members present. It thus makes one of the following decisions:
- Favorable opinion on the sanction proposed by the administration,
- Unfavorable opinion on the sanction proposed and proposal of another sanction,
- Proposal not to impose a sanction. *The disciplinary board may also not make any proposal if the majority of the members present have not reached an agreement. In all cases, the opinion of the disciplinary board is justified and communicated to the civil servant and the administration. […]* **The administration is not obliged to follow the opinion issued by the disciplinary board and may impose a more severe sanction.** *In any case, his decision must be justified.”*

As we have already seen, it is the hierarchical superior of the offending civil servant who must sanction him, by presenting him before a disciplinary council.
Here we have just discovered what the law has established and which seems fair. Now let us go to meet the dark side of this legislation and discover the anti-type of the law leading to justice, called the spirit of the law. To do this, let us read the text *[PDF présenté comme étant établi par: SNAPS UNSA. La procédure isciplinaire de la fonction publique. Tiré du lien internet: http://www.snapseducation.fr/wp content/uploads/2015/03/la_procedu_06102 006_1838.pdf]* which establishes the following:
***“*1 The disciplinary investigation. The initiation of proceedings:** *I It is up to the hierarchical authority (the one invested with the power of appointment). But in the event of deficiency, it may be up to the Ombudsman of the Republic to initiate “disciplinary proceedings or, where appropriate, submit a complaint with the repressive court” (“French” loi du 3 janvier 1973 instituant un Médiateur).*
Since disciplinary action is imprescriptible, proceedings may be initiated at any time, according to the principle of the opportunity of proceedings: **It is up to the hierarchical authority to assess whether or not prosecute, and it may refrain even when there is no doubt as to the disciplinary offence.”**

To understand the reality of what this text presents, we must consider it in the light of what Mr. MARGUERITE experienced, what the administrative court decided during the first judgment of his case by considering this *[Extrait de l'audience du 25 avril 2024 et de sa décision du 7 mai 2024 de l'affaire N° 2200745 que M MARGUERITE a mise en place au niveau du tribunal administratif de la Martinique]* which establishes the following:
“**On admissibility: 6. Firstly, the decision by which an administrative authority imposes, in the exercise of its disciplinary power, a sanction on an agent under its orders has the sole purpose of drawing, with a view to the proper functioning of the service, the consequences that the behavior of this agent entails on his situation vis-à-vis the administration.**
Therefore, a third party has no interest in referring to the judge of abuse of power the decision by which the administrative authority implements, or refuses to implement, disciplinary action against an agent. *It follows that the conclusions of Mr. Marguerite, seeking the annulment of the decision of the Regional Director of Public Finances of Martinique not to initiate disciplinary proceedings against the agent of the service who was his contact, are inadmissible and must be dismissed.”*

To understand the nonsense of what we have just seen, we must return to the consequences of the administration's refusal to sanction this civil servant who violated Mr. MARGUERITE's rights in a discriminatory manner.

To do this, let's return to what we have already presented to you:

> We have seen that Mr. MARGUERITE in his professional career was like a salmon, swimming against the current of lakes and waterfalls, he fought tirelessly to have a future and not remain in a state of welfare. Without having the culture of entrepreneurship, willingly or unwillingly, he tried the adventure of becoming a business leader, in order to be able to provide for his own needs and those of his family. He made many mistakes over the years and he paid the price by seeing his businesses fail (decline). Nevertheless, like the phoenix, he rose from the ashes of his businesses, and he finally arrived at this long-awaited El Dorado.
>
> The reward being that despite the adversities, at the cost of his sweat and perseverance, he was able to receive monthly income of €3,554 for the last five months of 2019 and €4,646.50 per month for January and February 2020.
>
> Then this terrible pandemic arrives and the French government sets up the solidarity fund to support companies that are impacted. With this grant, Mr. MARGUERITE is not content to sit back and relax, but he undertakes to reinvest a large part of it in order to correct his books, already with the end of the crisis and the future in mind.
>
> But there, like a fox entering a henhouse, this civil servant Mr. Vincent GUILGAULT, comes to destroy all his future plans, bringing his companies, for which Mr. MARGUERITE fought so hard to a state of nothingness, making him go from business leader with a radiant future to a life of welfare, where he is forced to live on what people are willing to give him, meaning that for months he has not been able to pay child support.
>
> In return, if we stick to this text, presented as being written by the SNAPS UNSA union and to the decision of the administrative judges who judged the case of Mr. MARGUERITE, the hierarchical superior of Mr. Vincent GUILGAULT, has the leisure to decide not to have this civil servant at the origin of this “beautiful disaster” appear before a disciplinary board.
>
> In return, if we stick to this text (French), presented as being written by the SNAPS UNSA union and to the decision of the administrative judges who judged the case of Mr. MARGUERITE, the hierarchical superior of Mr. Vincent GUILGAULT, has the leisure to decide not to have this civil servant at the origin of this “beautiful disaster” appear before a disciplinary board.

Thus, this implies that this civil servant may not be worried, he who acted in all unfairness, who processed Mr. MARGUERITE's requests, according to his good will, by omitting to transmit the supporting documents to the persons concerned, by depriving him of the subsidies to which he was entitled and this without a legal law or a hierarchical order authorizing him to do so, leading Mr. MARGUERITE to go from the stage of business manager, to a lower status than that of a homeless person, since they are entitled to the minimum vital to live, which was not the case for him for many months. (see productions n° 3, 4, 14, 15 and 18).
And in return, Mr. Vincent GUILGAULT will not have to answer for any of his actions.

In addition, it will be the same for this line manager who did not initiate the required procedure so that this official can answer for his failings, towards Mr. MARGUERITE, before a disciplinary council. Thus, it appears that in the current state of affairs, several civil servants were aware of the serious and damaging shortcomings of their colleague, Mr. Vincent GUILGAULT, and they did nothing, allowing him to escape any possible sanction.
Thus, Mr. Rodolph SAUVONNET, who as director of the DRFIP who did not respond, within two months, to the requests for hierarchical appeals that Mr. MARGUERITE filed against Mr. Vincent GUILGAUL, (see contested acts 1 and 2 and see production no. 13), causing the latter to escape, until then, the sanctions he deserves for this discriminatory treatment against him or who did not respond to the requests of the administrative judges, may not be sanctioned for these acts.

The acts of Mr. SAUVONNET, against Mr. MARGUERITE, as director of the DRFIP are recorded in the part entitled **"New evidence on the responsibility of the civil servant Mr. Rodolph SAUVONNET, as Regional Director of Public Finances of Martinique, in the alleged external illegality".**
The same is true for Mr. Jérôme Fournel, who as director of the DGFIP, did not comply with the directives emanating from the President of the Republic, through his hierarchical superior, which would probably have made it possible to put in place steps intended to get Mr. MARGUERITE out of this spiral of suffering into which the vaccinal laws against covid 19 have plunged him, because of the poor orchestration of Mr. Vincent GUILGAULT.

> So here we are, moving from fiction to reality, where France could be compared to Sherwood Forest, where Prince John, the Sheriff of Nottingham and his henchmen, plunder and mistreat the people, with complete impunity.

As you can see, there are loopholes in administrative legislation (French) that mean that civil servants manage not to answer for the abuses they commit against French citizens.
The primary reason for this is that those who should sanction civil servants are none other than their "peers". This reality is evident in *[(French) Article L532-1 du Code général de la fonction publique].*
In addition, French law provides in *[(French) Article L532-2 du Code général de la fonction publique],* that after three years after the administration has become aware of the misconduct of one of its civil servants, if the latter has not been sanctioned, he can no longer be, thus becoming untouchable.

To continue, we will tell you that the spirit of the law, in what we have just seen, is not very beautiful and is discriminatory for citizens, like Mr. MARGUERITE who find themselves confronted with civil servants whose actions contravene both the French constitution and European law. It is important to understand that as a French citizen, it is up to Mr. MARGUERITE to assert his rights when he considers that they have been infringed, by requesting that the public official responsible for this state of affairs be able to answer for his actions before an independent and impartial tribunal, previously established by law so that his case is heard fairly.
By not allowing Mr. MARGUERITE to hold Mr. Vincent GUILGAULT to account, through a disciplinary council, the Regional Director of Public Finances of Martinique, Mr. Rodolph SAUVONNET, has contravened *[(French) Articles 7 de la Déclaration des droits de l'homme et du citoyen du 26 août 1789].*

Given the context that we have described in detail, we understand that France can no longer continue to limit the sanctions to be applied to civil servants who fail in their duty to the goodwill of their superiors, without the latter being held accountable when they do not bring the incriminated officer to court, ignoring the hierarchical appeals of citizens.
As a legal vacuum remains in this area, it would be wise to put in place a new system which would force hierarchical superiors to present before a disciplinary council any civil servant whose misconduct has been reported by an individual, provided that it has been proven. To do this, the text *[(French) Article 40 du Code de procédure pénale]* which establishes the following, could serve as a basis:
"The public prosecutor receives complaints and denunciations and assesses the follow-up to be given to them in accordance with the provisions of Article 40-1. **Any constituted authority, any public officer or civil servant who, in the exercise of his functions, acquires knowledge of a crime or an offence is required to give notice of it the public prosecutor without delay and to transmit to this magistrate all information, reports and acts relating thereto."**

Here we see that a civil servant who, while performing his duties, acquires knowledge of a crime or an offence must inform the public prosecutor without delay and send him what supports his statements.

From the elements seen previously, we understand that this is mainly a situation where a civil servant sees an individual committing an act that the law condemns.
On the other hand, as wolves in the same pack do not eat each other, when it is a crime committed by one of their colleagues, civil servants have the freedom to **"refrain even when there is no doubt as to the disciplinary fault"** from presenting the alleged offender before the authorities who have the power to sanction him.

This is the famous **"double standards on the scales of justice".**

It is time for things to change. We saw in the section entitled "Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE" that when the legislation of a European State is insufficient and implies that the legal acts that are carried out contravene European law, laws must be enacted to remedy this.
It would therefore be necessary to legislate on the basis of this text for the failures of civil servants in the exercise of their functions, making it possible for any civil servant who is aware of a professional misconduct by one of his colleagues, having led to unfortunate consequences for a citizen, to refer the matter to the appropriate authority, so that a disciplinary council can be set up. This is not a question of vain denunciation but of allowing any recognized serious misconduct to be sanctioned.

Similarly, the civil servant who is aware of this serious misconduct and who keeps quiet about it, must himself be liable to a sanction. The same applies to a superior who does not respond to the appeals of an individual reporting serious misconduct by a civil servant liable to a disciplinary council and whose lack of response would render the action null and void.
Why, in the democratic Republic that is France, would a law take away from citizens the right to demand justice, even in the face of senior civil servants?
It would also be necessary for *[(French) Articles L530-1 du Code général de la fonction publique], [(French) Article L532-1 du Code général de la fonction publique], [(French) Article L410-1 du Code des relations entre le public et l'administration], [(French) Article L532-2 du Code général de la fonction publique]* which establish that civil servants must answer for their failure to provide that when the procedure is obstructed or not implemented, that it is the administrative judges who have the authority to judge the civil servant in question.
Thus, as French laws are deficient, or incomplete, in this area, it would be necessary to legislate to supplement them or even repeal these aforementioned texts so that it is the foundations of the French constitution and European law translated into the following texts which henceforth become the administrative standard:

- *[Article 15 de la Déclaration des Droits de l'Homme et du Citoyen de 1789],*
- *[Charte des droits fondamentaux de l'Union européenne, Article 47 - Droit à un recours effectif et à accéder à un tribunal impartial],*
- *[Articles 6, 13, 17 de la Convention Européenne des Droits de l'Homme],*
- *[(French) Article 15 de la Constitution du 4 octobre 1958].*

Based on everything we have seen so far, two possibilities of judgment would present themselves for the officials who flouted Mr. MARGUERITE's rights:

- The first solution would be that, within the framework of *[(French) Article 61-1 de la Constitution du 4 octobre 1958]* that invested with its authority, the Constitutional Council could, in the case where a citizen is faced with a situation that pits him against a civil servant who has flouted his rights, and that a French law contravening supranational laws, preventing any judgment, allow that it is the administrative judges who have the power to judge the accused.

- The second solution would be that the Constitutional Council could rule, that within the aforementioned framework, the administrative judges, receive the authority to set up a referral that decrees the holding of a disciplinary board, according to the bases already established in *[(French) Articles L530-1 à L533-6, Code général de la fonction publique],* for the civil servant who is accused by an individual.

19 The reality of material and psychological damages and loss of opportunity generated by unconstitutional laws established in French legislation and the possibilities of financial compensation envisaged

To begin with, we will tell you that, as a French citizen, Mr. MARGUERITE cannot be discriminated against by laws that prevent him from being able to work, because of his religious beliefs.

The first discrimination to have been brought against him, his faith and his finances, was by the Sunday laws which, while being of a religious nature, and therefore unconstitutional because, having no place within the Secular Republic that is France, nevertheless prevent him from working on Sundays as an employee for an employer wishing to hire him.
In the sections **"Historical and legislative reality of the unconstitutional character of the Sunday laws"** and **"Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws",** we demonstrate the unconstitutional nature of the Sunday laws.

The second discrimination that was brought against Mr. MARGUERITE, his faith and his finances was by the vaccination laws against covid 19, which prevented him from exercising his activity without being vaccinated and this while they are institutional, because they contravene the **"Declaration of Helsinki"** to which European and French law are subject. We explain these realities in the sections entitled **"On the alleged internal illegality of the vaccinal laws against covid 19"** et **"Reality of the unconstitutional nature of the vaccinal laws against covid 19, which contravene the right of Mr. MARGUERITE, as a Frenchman, not to be vaccinated against Covid 19 because of his faith".**
Everything we have just seen, in this brief, supporting documents in hand, attest to the losses that Mr. MARGUERITE has suffered because of the vaccinaL laws against covid 19, but also because of the Sunday laws which both contravene the French constitution.
Now let us discover, legally, the remedies that he wishes to put in place, so that justice is done to him and that damages can be paid to him.

To begin with, we will tell you that for a long time, there was no mechanism that existed at the legislative level allowing those who were impacted by a law recognized as unconstitutional, which ended up being repealed, to be compensated for the damages suffered. Things have recently changed.
The text *[Par une décision rendue aujourd'hui, le Conseil d'État juge qu'une personne peut obtenir réparation des préjudices qu'elle a subis du fait de l'application d'une loi déclarée contraire à la Constitution par le Conseil constitutionnel. Extract taken from the website: https://www.conseil-etat.fr (translated into English from the original text)]* establishes the following:
"Since 2007, the Council of State has ruled that it is possible to hold the State liable to obtain compensation for damages suffered as a result of the application of a law contrary to international – and in particular European – commitments of France. On the other hand, it had never, until now, decided the question with regard to a law contrary to the Constitution.
Since the constitutional reform of 2008, in fact, a law that has already entered into force can be repealed by the Constitutional Council if it deems that it violates the Constitution.
This is the procedure of the "priority question of constitutionality" (QPC). When a law is thus "repealed", it no longer has any effect from the day of its repeal, determined by the Constitutional Council.

In its most solemn judgment formation, the Litigation Assembly, the Council of State now admits that the responsibility of the State can in principle be engaged because of a law declared contrary to the Constitution.
It thus judges that if people have suffered damage (financial loss, prejudice of all kinds, etc.) directly as a result of the application of this law before its repeal, they will be able to obtain compensation by seizing the administrative judge. State liability is in principle open, subject to several conditions.
The Council of State specifies the conditions necessary for such a request for compensation to be successful: It is possible within the limits set by the decision of the Constitutional Council, which derives from the Constitution the power to specify the effects in time of the declaration of unconstitutionality of a law and can therefore always decide to close or restrict the way to any claim for compensation;
The damages suffered must be directly caused by the application of the unconstitutional law;
The request must be made within four years following the date on which the damages suffered can be known in their entirety, without the decision of the Constitutional Council reopening this period (quadrennial prescription rule which can be opposed to the plaintiff by the administration).
In the case submitted to it and which concerned legislative provisions relating to employee participation in company results declared unconstitutional by the Constitutional Council in 2013, the Council of State considers that there is no direct causal link between the unconstitutionality of these provisions and the damage suffered by the plaintiffs, in this case two companies and an employee.
He therefore rejects their claim for compensation".

It therefore appears that before this 2008 reform, no possibility of compensation was offered to those who considered themselves wronged by an unconstitutional law, which, having been recognised as such, was repealed. The 2008 reform changed things.
Thus, it was established that as soon as the Constitutional Council abrogates a law that **"disregards the Constitution"** a procedure of **"priority question of constitutionality"** is set up. Within this framework **"the Litigation Assembly, the Council of State now admits that the responsibility of the State can in principle be engaged because of a law declared contrary to the Constitution".**
Thus, the State's liability is in principle engaged but several conditions are set in order to be compensated for the damages caused by any law declared unconstitutional and which has been repealed.

It appears that it is the Constitutional Council which has all the power to decide whether compensation is possible and to what extent. This reality is presented as follows:

> **"The Council of State specifies the conditions necessary for such a request for compensation to be successful:**
> **It is possible within the limits set by the decision of the Constitutional Council, which derives from the Constitution the power to specify the effects in time of the declaration of unconstitutionality of a law and can therefore always decide to close or restrict the way to any claim for compensation".**

Furthermore, the period that may be covered by this compensation cannot exceed the last 4 years preceding the repeal of said law, this reality is presented as follows:

> **"(quadrennial prescription rule which can be opposed to the plaintiff by the administration)".**

These two points, although established within a QPC, cannot be the basis of Mr. MARGUERITE's case in the compensation should be given to him following the damages he suffered under the yoke of the vaccinal laws against covid 19 and the Sunday laws, which are unconstitutional.

To understand our argument, we must come to the reality of the type of law dealt with in this specific case.
To do this, let's read this extract from this text and then we will develop it:

> **"Since 2007, the Council of State has ruled that it is possible to hold the State liable to obtain compensation for damages suffered as a result of the application of a law contrary to international – and in particular European – commitments of France.**
> *On the other hand, it had never, until now, decided the question with regard to a law contrary to the Constitution.*
> **Since the constitutional reform of 2008, in fact, a law that has already entered into force can be repealed by the Constitutional Council if it deems that it violates the Constitution."**

Here a distinction is made between two types of law, the first group presents those which are "contrary to international – and in particular European – commitments of France", the second highlights those which disregard the Constitution (French). What particularly attracts attention in what has just been recalled is what has been put in place since 2007, and which is thus notified:

> **"It is possible to hold the State liable to obtain compensation for damages suffered as a result of the application of a law contrary to international – and in particular European – commitments of France."**

We are in exactly this context with the French laws against covid 19 because, due to their oppressive nature, they have not established the right of withdrawal available to the French to allow them to refuse to become the guinea pigs for an experimental medical product in the "clinical trial" phase.

> Thus, they contravene the "Declaration of Helsinki", and by extension the European law subject to it.

The same is true for Sunday laws. These two laws, which we have just presented, both contravene the right that European legislation confers on its citizens, including the French, not to be discriminated against either on the basis of their faith, or on the level of their finances or their access to employment, as the following texts state:

- *[(French) Article 2, loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations],*
- *[Article 9 de la Convention européenne des droits de l'homme Liberté de pensée, de conscience et de religion, articles 1 et 2],*
- *[Protocole numéro 12 à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales, articles 1 et 2 (Interdiction générale de la discrimination)].*

The same is true for French legislation, in the following texts:

- *[(French) Articles 5 et 11, du Préambule de la Constitution (Française) de 1946],*
- *[(French) Article L1132-1, Code du travail],*

Thus, for these two laws, "vaccinal against covid 19" and "Sunday (dominical)" which contravene European law, it is the legislation of the European Union which takes over here. France is not sovereign, at the legislative level because it is subject to the primacy of European law, it cannot in any case contravene a European standard.
Thus, in the context of compensation, to be paid to those who have suffered discrimination and losses because of the vaccinal laws against covid 19 and / or Sunday laws, we must be interested in what European legislation recommends in such cases.

Let us now discover what the European texts say, which will allow us to better understand what must be done in terms of compensation for the victims, therefore for Mr. MARGUERITE as soon as the vaccinal laws against covid 19 and Sunday laws are recognized as unconstitutional.
To do this, we invite you to read the text *[Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 2-2 Un dialogue des Juges [4] a permis de concilier l'office du juge administratif Juge national et comme juge de droit commun du droit de l'Union Européenne. 2-2-1 le conseil Constitutionnel, le Conseil d'État et la CJUE ont jugé que le contrôle prioritaire de la constitutionnalité des lois était compatible avec le droit de l'Union. Taken from the website: https://www.conseil-etat.fr (translated into English from the original text)]* which establishes the following:
"The Council of State was led to rule on the question of the articulation of the mechanism of the priority question of constitutionality (QPC hereinafter), instituted by the constitutional reform of July 23, 2008, and the European legal order.
Under the provisions of Article 61-1 of the Constitution, this procedure allows any person party to a trial or proceeding to argue that a legislative provision infringes the rights and freedoms guaranteed by the Constitution.
If the question satisfies certain conditions, it is up to the Constitutional Council, seized on reference by the Council of State and the Court of Cassation, to rule and, where appropriate, to repeal the legislative provision concerned.
By its decision Rujovic (CE, May 14, 2010, no. 312 305) the Council of State applied the interpretation given by the Constitutional Council in its decision of May 12, 2010 Law on online games (no. 2010-605 DC) **in order to articulate the QPC procedure with EU law.**
It follows that the provisions relating to the QPC do not prevent the administrative judge, the common law judge of the application of EU law, from ensuring its effectiveness, either in the absence of a priority question of constitutionality, or at the end of the procedure for examining such a question, or at any time during this procedure, when urgency so requires, in order to immediately put an end to any possible effect of the law contrary to EU law. […] In a judgment of 22 June 2010, the CJEU ruled that, as conceived, the QPC did not conflict with any rule of Union law (CJEU, 22 June 2010, Melki and Abdeli, cases C-188/10 and C-189/10).
By adapting its jurisprudence to view a priority control mechanism of the constitutionality of laws as compatible with Union law, provided that the national judge remains able to ensure the effectiveness of this law at all times and by referring to the case rights, in particular, of the Constitutional Council and the French Council of State, the Luxembourg Court found a solution that makes it possible to reconcile the primacy and effectiveness of European law in the order of the Union and that of constitutional law in the internal order."

The text *[Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1) Le juge administratif assure pleinement l'intégration du droit de l'Union européenne dans l'ordre juridique national. 1-1 La reconnaissance des spécificités du droit de l'union par le juge administratif : Effet direct et primauté du droit de l'union Européenne. Taken from: https://www.conseil-etat.fr (translated into English from the original text)]* which establishes the following: **"For the ECJ, the primacy of European law over national laws is absolute: All European acts with binding force benefit from it, whether they come from primary law or secondary law, and all national acts are subject to it, whatever their nature** (ECJ, 17 December 1970, Internationale Handelsgesellschaft, C/ 11-70)**, therefore including constitutional ones. […]**
The Council of State has gradually extended the benefit of the regime of Article 55 of the Constitution to all legal acts of the European Union, which it has agreed to give precedence over laws [...]" *The regulations (CE, 24 septembre 1990, Boisdet, n° 58 657) and the guidelines (CE, Ass. 28 février 1992, S.A. Rothmans International France et S.A. Philip Morris France, n° 56 776). [...]"*

The text *[Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-2 L'autonomie institutionnelle et procédurale : un mécanisme de subsidiarité juridictionnelle inhérente aux techniques d'application du droit de l'union. Taken from: https://www.conseil-etat.fr (translated into English from the original text)]* which establishes the following: *"In addition, the guarantee of rights arising from EU law must benefit all individuals under the same conditions.* **The principle of effectiveness implies that if a right is recognised for individuals by the European Union rights, the Member States are responsible for ensuring its effective protection, which most often implies the existence of a judicial remedy. In other words, this principle aims to prevent a procedural provision of a State from making the application of European Union rights impossible or excessively difficult. [...]**
The ECJ also clarified that if national law did not include a procedure for implementing European Union rights, it was appropriate to create one."

The text *[Conseil d'État. Dossier thématique du 10 mars 2022. Le juge administratif et le droit de l'Union européenne. 1-3 La reconnaissance des spécificités du droit de l'union Européenne emporte des conséquences importantes pour l'administration Française. Taken from the website: https://www.conseil-etat.fr (translated into English from the original text)]* which establishes the following: **"[...] Finally, the Council of State has established the liability of the State for court decisions contrary to European Union law: it is incurred in the event of a manifest violation of a provision of Union law intended to confer rights on individuals** *(CE, 18 June 2008, Gestas, no. 295 831). [...]"*

In these texts, we learn, among other things, that the QPC (priority question of constitutionality) which was instituted on July 23, 2008 under the provisions of *[(French) Article 61-1 de la Constitution Français],* under the control of the European legal order is intended to be used by all those who bring a case in which they want to have it recognized that a legislative provision infringes the rights and freedoms guaranteed by the Constitution.
The establishment of a QPC is above all intended to align the procedure with European Union law.

> The main purpose of the QPC is to stop the application of any French legislative text that contravenes Union law.

In addition, the European Court of Justice has ensured that the foundations of the QPC would not contravene any rule of Union law, the objective being to have, through this means, a priority control over French legislation, in order to verify its compatibility with Union law.
The ultimate goal is therefore to ensure that no French text contravenes European standards and thereby to ensure the primacy and effectiveness of European law over French constitutional law.

These texts also mention that **"the primacy of European law over national laws is absolute",** including over constitutional rights, which implies that the French Constitutional Council is subject to European rules and cannot establish standards that contravene European law. This reality is based, among other things, on the *[(French) Article 55 de la Constitution du 4 octobre 1958]* establishes the following:
"Treaties or agreements duly ratified or approved have, upon their publication, an authority superior to that of laws, subject, for each agreement or treaty, to its application by the other party."

Thus, the French State has acted that it accepts that all its legislation is subject to the precepts of the European Union. As a result, there is the possibility of filling the legal void that would exist following the filing of a QPC where no French text would automatically guarantee compensation for victims of a law recognized as unconstitutional.

This is the obligation imposed by the European Union on its Member States to allow all litigants to benefit in the context of their affairs, from the terms of European law that protects them or is favorable to them.

The objective is that the legislation of a European Nation cannot make the application of European Union law excessively difficult or impossible, allowing citizens to defend themselves.
Here, we move into the concrete, concerning the laws and decrees instituted by the Member States of the European Union that contravene European legislation.

It is now possible, in the event of an attack on our rights and freedoms guaranteed by the European Constitution, to go further than the usual trial against an institution by setting up a QPC procedure governed by the *[(French) Article 61-1 de la Constitution].*
This procedure allows, after verification of the merits of the QPC request, that the Constitutional Council (French) referred to by the Council of State (French) can proceed to repeal the provisions of the law in question. This procedure is carried out in accordance with European law.

Thus, thanks to the QPC when urgency requires it, the administrative judges, the Council of State and the Constitutional Council have the authority to immediately put an end to any possible effect of the law contrary to Union law.

In addition, as soon as an administrative judge (French) realizes that European legislation is undermined, in a case, by texts that contravene European provisions, he must refer a preliminary question to the Court of Justice of Luxembour.

> The European Court of Justice has ensured with the QPC that no rule of Union law would be undermined (mishandled) by the legislation of the Member States.

This is how Europe has ensured that it retains full control over the laws of its Member States, so that none of their legislative or regulatory texts have the effect of nullifying a European provision, particularly in cases that would oppose the State to an individual.
As a result, this QPC procedure, governed by *[(French) article 61-1 de la Constitution (Française)]* of 23 July 2008, referred to above, is a practical implementation of European supremacy over French legislation.

The European Union has not only instituted that any legislative text of its Member States that contravenes European provisions must be annulled, but it has laid the foundations for this to be effective. In view of the above, it appears that the predominance of Europe over the legislation of its Member States is not a myth, but a reality, and we can see its relevance in the case that concerns Mr. MARGUERITE today.
Indeed, we have already demonstrated the unconstitutional nature of the vaccinal laws against covid 19, forcing Europeans, particularly French people, to be vaccinated under penalty of not being able to exercise their professional activity and this without receiving, in return, a compensatory allowance, equivalent to their usual income.

> What is our argument based on?

We have already explained it, but it seems relevant to us at this stage to come back to it, because it appears to us as the prerequisite established by the European Union to frame the placing on the market of a medicine or a substance, still in the experimental phase, therefore in the “Clinical Trial” phase, intended for the health of human beings.

This is why substances still in the experimental stage can only be administered to a human being with their informed consent, on the condition that they have been fully informed beforehand of all the risks inherent in this act.
It follows quite naturally that, in this specific case, any person who refuses to be administered such a substance, during the clinical trial phase, should not suffer any harm.

And yet! We are far from that, considering what happened in France.

On the Sunday laws side, the plethora of texts prohibiting discrimination against citizens, particularly by an administration, among other things because of their faith, or which deprive them of the same chances of professional reintegration, and which we have already considered demonstrate to us that these laws contravene European law.

The case of Mr. MARGUERITE perfectly illustrates everything that we have just seen and, throughout this thesis, we have developed these aspects by providing evidence.
These texts that we have seen earlier also attest that when a European Nation rejects the texts of European law used by an individual to defend themselves, and which grant them rights, it engages the responsibility of this State because of the court decision that has been ratified and which would be contrary to it.

Now that these bases are laid, let us look at the possibilities of compensation for victims that have been established on the European and international level. To do this, let us focus on the text *[Guide sur l'article 7 de la Convention européenne des droits de l'homme. I. Introduction (translated into English from the original text)]* which establishes the following:
"Article 7 of the Convention – **No punishment without law "1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed.** *Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal […]*
1. The guarantee enshrined in Article 7, which is an essential element of the rule of law, occupies a prominent place in the Convention system of protection, as is underlined by the fact that no derogation from it is permissible under Article 15 in time of war or other public emergency.
It should be construed and applied, as follows from its object and purpose, in such a way as to provide effective safeguards against arbitrary prosecution, conviction and punishment […]"

What is presented here is easy to understand! No penalty without law.
Thus, in the context of the vaccinal laws against covid 19, as well as for the Sunday (dominical) laws, the legislation that carries them is null and void, because France is under the dominance of the European Union, which does not allow discrimination to be carried out on one of its citizens.
For the vaccinal laws against covid 19, the thing is even more true, because the European legislation is subject to the "declaration of Helsinki", we have already seen it many times, with regard to "clinical trials", and in this context, all Europeans having the right to refuse to be vaccinated, thus the decrees requiring vaccination against covid 19 being arbitrary and unfounded, because they have no law to support them, are outside the law.
We present to you, this reality in the part entitled **"On the alleged internal illegality of the vaccinal laws against covid 19".**

In doing so, once the covid 19 vaccine laws are repealed, the possibility of compensation that exists is directly linked to the above but also to the text *[Déclaration d'Helsinki de L'AMM – Principes éthiques applicables à la recherche médicale impliquant des êtres humains. Adoptée par la 18e Assemblée générale de l'AMM, Helsinki, Finlande, Juin 1964 et amendée par les : 29e Assemblée générale de l'AMM, Tokyo, Japon, Octobre 1975, (…) 59e Assemblée générale de l'AMM, Séoul, République de Corée, Octobre 2008, 64e Assemblée générale de l'AMM, Fortaleza, Brésil, Octobre 2013 (translated into English from the original text)]* which establishes the following:
"[…] Scientific requirements and research protocols: […] The protocol should contain a statement of the ethical considerations involved and should indicate how the principles in this Declaration have been addressed.

The protocol should include information regarding *funding, sponsors, institutional affiliations, potential conflicts of interest,* **incentives for subjects and information regarding** *provisions for treating and/or* **compensating subjects who are harmed as a consequence of participation in the research study. Research Ethics Committees: The research protocol must be submitted for consideration, comment, guidance and approval to the concerned research ethics committee before the study begins. […]".**

It is clear that any person who, by having participated in medical research, therefore who was a guinea pig to test a drug and who suffered harm through his participation in this "clinical trial", must be compensated. It is true that generally, this reality is simple, because any person who serves as a guinea pig must give his informed consent in order to be able to participate in the experiment and no pressure, neither from those who experiment with this new molecule, nor from the State, must come to influence his choice and if the decision is made to withdraw before having started the experiment, no harm must occur.
On the other hand, in the case of vaccination against covid 19, we are in another context, where it was a question of the participation of the French in a **"clinical trial** *in large scale",* without prior informed consent, meaning that the results of contaminations of covid 19, both for the vaccinated and for the unvaccinated were counted and those refusing to be vaccinated were affected by the law and could not, among other things, as was the case for Mr. MARGUERITE, exercise their professional activities.

The fact that a person who refused to be vaccinated against covid 19, found himself without income, because of the vaccination laws reflects a transgression of the "Declaration of Helsinki", which poses the responsibility of the French State towards those who have suffered discrimination against their right enacted at the level of European and international legislation.
Should it be recalled that this **"clinical trial** *in large scale"* falls outside the legal framework established by the "Declaration of Helsinki" and is therefore without legal basis?
Based on the above, we understand that any harm suffered during participation in medical research entails compensation. In doing so, by deduction, as without law, there is no possibility of compelling, all those who were subject to the vaccination obligation and who were forced into unemployment, if they were not vaccinated against covid 19, and all those who were forced to participate in this **"large-scale** *clinical trial"* and who suffered harm and losses must be compensated.

Indeed, the law that forced them, itself contravened the French constitution and European law and above all the "Declaration of Helsinki", which takes precedence over both. It is important not to lose sight of the fact that before marketing the vaccines against covid 19, those who put them on the market were required to include in their protocol the possibility of compensation for those who would suffer harm due to their participation in the research.
It is important not to forget that Europe and by extension France are subject to the "Declaration of Helsinki", so in the case of the covid 19 vaccine laws, as soon as they are repealed, their victims will have to be compensated.
Let us now come to the Sunday laws, to understand the importance of the compensation that must be provided to victims according to the above. We will share with you our questioning, which is as follows:

> Can a law that is baseless and unconstitutional continue to despoil all or part of French citizens and then be dissolved without compensation being paid to those who have been cruelly impacted by its effects? Such a reality is, in our opinion, inconceivable in France, the country of human rights and freedoms!

To understand the nonsense of these bloody laws, we must draw a parallel with another sinister period in our history, when Shabbat observers, therefore Jews, suffered abominations because of their faith and of which we have brought you the proof in the part entitled **"Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws".**

To do this, allow us to ask you a few questions that seem relevant to us and will demonstrate the nonsense of the perpetuity of Sunday (dominical) laws in this century:

> For those of you who know the abomination of Nazism and the martyrdom suffered by the Jews under Hitler, do you think that the Nazis were right to deprive and kill the Jews? The question itself grieves me, and I know that your answer is like mine:
> No! We recognise that justice was done when the Nazis had to pay for their crimes by being arrested, tried and convicted and that the property looted from the Jews was returned to its owners.
> What about the property that the Catholic Church took from the Jews? Would the plundering of the Jewish people be more justifiable because it is carried out by men of the Church? **Example:** Take a painting by a great master, such as a Picasso or a Gauguin, which has belonged to a Jewish family for ages and which, because of despotic laws, was taken away from them to adorn the walls of their tyrant's home!
> Is it not plundered booty, even though this dominator is called His Holiness the Pope? When I look back and take the time to compare what others like the Nazis had done to the Jews and what the Catholic Church did to them, I don't see any difference.
> Yet the Catholic Church has never been judged for these acts and it has never had to return property that had been plundered. Would the value of things change legally in France or in Europe depending upon whether or not a murderer and a thief were wearing the so-called “robe of the holiness”?

Thus, the laxity of the European authorities in the face of the spoliation and genocide by the Catholic Church of the Jews and Sabbath observers is incomprehensible to me.

> When we think about this and we ask ourselves, we ask ourselves if the Catholic Church is above French and European laws?

Mr. MARGUERITE wanted to leave you with this reflection, because being only a simple man of the people, these things must certainly be beyond him!
In addition, he would like to draw your attention to the following:

> Do you think that in this century, the laws of totalitarian and despotic regimes founded at the cost of countless martyrs are still justified in our civilised societies?
> Of course not! And yet, the laws prohibiting Sunday working have not been called into question in France.
> At most, they have been *“dusted off”,* but they are still as active as ever. It is thanks to the arguments developed in Mr Bailly's report that all this was possible.

This framework has become the new standard that reinforces the regulations for the compulsory Sunday rest in France. In his report, which has become the backbone of the laws prohibiting Sunday working in France, Mr Bailly underlines the historical importance of Sunday through the collective consciousness of the French.
Although in his argument he obscures the bloody foundations on which these laws were instituted they nevertheless existed. Through these laws, the rights of the Jewish people and of those who observe the Sabbath continue to be violated.
In spite of the plundering, genocide and the degradation of the Jews and Sabbath keepers, the dominical rest has become a permanent feature of French life.

> Basic human decency would require that such decrees should not still be in force in a State, such as France, where human rights are advocated and where its President of the Republic has positioned himself as a **“protector of secularism and defender of anti-Semitism”.**

Certainly, the French State no longer strips Sabbath or Shabbat observers of their property, but they are discriminated against, as we have already presented, in terms of their chances of professional success. It is true that in this century, they are no longer put to death, but their faith and finances are still put to the test.

Mr. MARGUERITE is living proof of what we have just presented, and his story, which we present in the section entitled **"Brief career synopsis, philosophy of life and discriminatory oppression",** attests to this.

Thus, we understand that it is therefore necessary not only that the Sunday laws be repealed or adapted so that Sabbath or Shabbat observers can have the right to work as employees every Sunday, if that is their choice, in a company that would agree to hire them, but they must also be compensated for all the suffering and losses they have suffered and this, for as long as it has lasted.

In return for all the suffering that Sabbath and Shabbat observers have endured for centuries, under the rule of the Sunday laws, if these laws are repealed by the Constitutional Council (French), it is, you will understand, quite normal that those who have been oppressed by them be compensated, for the number of years they have suffered harm.
To continue, we will tell you that the following texts present to us realities which, in our opinion, should be taken into account for the compensation of victims of Sunday laws:
"In the occupied regions of France, the German Reich exercises all the rights of the occupying power.
The French government undertakes to facilitate by all means the regulations relating to the exercise of these rights and their enforcement with the assistance of the French Administration."
[…] "The French government will proceed with the repatriation of the population in the occupied territories, in agreement with the competent German services" [...]
"All German prisoners of war and civilian prisoners, including prisoners on remand and convicts who have been arrested and sentenced for acts committed in favour of the German Reich, must be handed over without delay to the German troops" […]
"The French government is bound to deliver on demand all German nationals designated by the government of the Reich and who are in France, as well as in French possessions, colonies, territories under protectorate and under mandate".
[Articles 3, 16 et 19, de la Loi sur le statut des Juifs du régime de Vichy (translated into English from the original text)].

Let us complete with this other text: **"A problem remains posed by the unclaimed Jewish inheritances. In the Seine department alone, there are approximately 3,000 of them. They correspond to as many families deported and entirely exterminated.**
A text is currently being prepared concerning the devolution of these assets". *[Les Restitutions, Paris, La Documentation française, Notes et études documentaires, n°1108, 13 avril 1949 (translated into English from the original text)].*

Here we discover what happened during the Second World War, or with the complicity of the Vichy regime, the German Reich, with Hitler at its head, deported, robbed and exterminated Jews without mercy. These facts are proven and historical.

> Nevertheless, laws were instituted in order to compensate the Jews who suffered the monstrous tyranny of the Nazis.
> Thus, the property of the Jews who were robbed by the Nazis and their collaborators must be returned to their owners or beneficiaries and this **"regardless of the applicable statute of limitations".**
> It is important to note that these assets are among others funds from **"blocking of bank accounts, the looting of housing, the spoliation of property left by internees in the camps, insurance contracts or even copyrights-composers."**

The following texts attest to this: *"[…] In a letter sent on February 5, 1997 to Jean Mattéoli, then President of the Economic and Social Council, Mr. Alain Juppé, Prime Minister, defined the outlines of this mission:*

“[...] In order to fully enlighten the public authorities and our fellow citizens on this painful aspect of our history, I would like to entrust you with the mission of studying the conditions under which property, real estate and furniture, belonging to the Jews of France were confiscated or, in general, acquired by fraud, violence or fraud, both by the occupier and by the Vichy authorities, between 1940 and 1944.
In particular, I would like you to try to assess the extent of the spoliation that may have been carried out in this way and that you indicate to which categories of persons, individuals or legal entities, these have benefited.
You will also specify the fate that has been reserved for these goods since the end of the war until today. […]” The Mattéoli Mission has notably worked on economic “Aryanization”, the blocking of bank accounts, the looting of housing, the spoliation of property left by internees in the camps, insurance contracts or even copyrights-composers.
This work is accompanied by precise statistical data which testifies to the extent and nature of the spoliations suffered: 80,000 bank accounts and 6,000 safe deposit boxes blocked; 50,000 “Aryanized” companies;
40,000 apartments emptied of their contents; 100,000 works of art and millions of books stolen. They also specify the effects of the restitution and reparation procedures implemented after 1945.
The conclusions of the research led to a series of recommendations whose objective is to consolidate the work of memory on this period.
On November 17, 1998, President Mattéoli proposed to the Prime Minister to “create a body responsible for examining individual claims made by victims of anti-Semitic legislation established during the Occupation or by their heirs.
It would ensure follow-up on the processing of requests and would be responsible for providing responses that could take the form of redress.”
[Extrait de : La Mission d’étude sur la spoliation des Juifs de France connue également sous le nom de Mission MATTEOLI, du patronyme de son président, a été instituée par arrêté du Premier ministre le 25 mars 1997 (translated into English from the original text)].

Let us complete with the following: **“It is one of the most painful pages of Parisian history that the Paris Council of October 28 had to address, after the revelations on the origin of certain property of the City's private domain. […]**
Faced with this dark period when Paris, occupied, was no longer the capital of our country, when the French State was no longer even the Republic, we have, collectively, a duty to remember. It would be immoral for the City to proceed today with the sale of property that would have been acquired as a result of spoliation.
I am delighted that the Council of Paris was unanimous on this point.” [Éditorial de Jean Tibéri, maire de Paris, paru dans le magazine d’information de la Ville de Paris, Paris Le Journal, n°69, 15 novembre 1996 (translated into English from the original text)].

To continue, we will tell you that this sentence from Mr. Jean Tibéri specifying that as French people, faced with the dispossession of the Jews during the Second World War, **“we have, collectively, a duty to remember”** is heavy with meaning.
Thus, this duty of remembrance for the atrocities committed against the Jews during the Second World War, decades later, seems perfectly relevant.

What about what they, as well as the Sabbath-observant Christians, have suffered for centuries and are still suffering? We have already seen that the sufferings that Jews and Sabbath-keepers are undergoing in this century are acts initially committed by the Catholic Church and which continue to be perpetuated through the Sunday laws.
This **“duty to remember”** is that in all cases of discrimination, inequities of spoliation, in the face of a law, compensation is total, without application of this mention relating to the **“four-year statute of limitations that may be imposed on the claimant by the administration”.**

It is necessary that when the laws which have led to the loss of freedom and the lowering of the victims are repealed, rules such as those presented in the following texts can be enacted in order to preserve them:
“Certain damage, material and direct, caused to immovable or movable property by acts of war in all French departments and overseas territories, it stipulates, gives rise to the right to full reparation.” *[Journal officiel de la République française, 29 octobre 1946, pp. 9191-9198 (translated into English from the original text)].*

Let us complete the picture with the following: **“Recommendation No. 8 of the Mattéoli Commission's General Report lays down the general principle with regard to individual restitutions: “When a property whose existence in 1940 is established has been the subject of spoliation and has not been returned or compensated, compensation is right regardless of the limitation periods in force.”**
[Excerpt from: La Mission d’étude sur la spoliation des Juifs de France connue également sous le nom de Mission MATTEOLI, du patronyme de son président, a été instituée par arrêté du Premier ministre le 25 mars 1997 (translated into English from the original text)].

On this day we solemnly demand that all Jews and the Christians who observe the Sabbath be compensated for all the years of harassment suffered under the yoke of the Sunday laws that have discriminated against them and prevented them from having the same chances of success as those who observe Sunday as a dominical day of rest, and this according to the basis of the income they should have received if these laws had not hindered them.
In doing so, in return for all the suffering that Sabbath and Shabbat observers have endured for centuries, under the yoke of the Sunday laws, if these laws are repealed by the Constitutional Council (French), it is, you will understand, quite normal that those who, like Mr. MARGUERITE, have been oppressed by them be compensated for the number of years they have suffered harm.

To do otherwise would be unacceptable, it would be to subject Sabbath and Shabbat observers to a double prejudice when the Sunday laws recognized as unconstitutional are repealed.
The first comes directly from what these laws had established and the second is materialized by the fact that the losses suffered will not be compensated. Let us take the case of Mr. MARGUERITE as an example:

> Let us consider that the Sunday laws end up being repealed, but that the Constitutional Council (French) does not decree that those who were the victims, can be compensated.
> The result would be that these Sunday laws have caused him so much prejudice by keeping him in precariousness, and this for 27 years, and the French State do not offer him the compensation legitimately expected. Do you think that such a thing is acceptable, in the country of human rights?

If these laws are repealed, it should be accompanied by provisions on compensation for those who have suffered discrimination from the Sunday laws instituted, as we have seen, at the cost of blood and the dispossession of the property of Jews and Sabbath-observant Christians.
This is all the more relevant since French laws could not be repealed, before 2008, at the simple request of a citizen, and did not offer the possibility of compensation to those who were largely impacted by their application. Today, provisions exist that make it possible to denounce laws that transgress the rights of Europeans.
To continue, and in accordance with the above and the new elements that we report below, we present to you what we believe should be taken into account for the compensation of victims of Sunday laws and vaccinal laws against covid 19.

The text *[Conseil de l'Europe. Service de l'exécution des arrêts de la Cour européenne des droits de l'homme. Article 41 de la Convention européenne des droits de l'Homme. Tiré du site internet: https://www.coe.int/fr/web/execution/article-41 (translated into English from the original text)]* establishes the following: **"Just satisfaction: If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.**
[…] When the Court finds against a State and observes that the applicant has sustained damage, it awarded the applicant just satisfaction, that is to say a sum of money by way of compensation for that damage. The damage is distinguished in the following way: **Damage in general: Compensation for damage can be awarded in so far as the damage is the result of a violation found.**
No award can be made for damage caused by events or situations that have not been found to constitute a violation of the Convention, or for damage related to complaints declared inadmissible at an earlier stage of the proceedings.
The purpose of the Court's award in respect of damage is to compensate the applicant for the actual harmful consequences of a violation.
It is not intended to punish the Contracting Party responsible. The Court has therefore, until now, considered it inappropriate to accept claims for damages with labels such as "punitive", "aggravated" or "exemplary". **Pecuniary damage: The principle with regard to pecuniary damage is that the applicant should be placed, as far as possible, in the position in which he or she would have been had the violation found not taken place, in other words, restitutio in integrum.**
This can involve compensation for both loss actually suffered (damnum emergens) and loss, or diminished gain, to be expected in the future (lucrum cessans). […] Normally, the Court's award will reflect the full calculated amount of the damage.
However, if the actual damage cannot be precisely calculated, the Court will make an estimate based on the facts at its disposal.
Non-pecuniary damage: The Court's award in respect of non-pecuniary damage is intended to provide financial compensation for non-material harm, for example mental or physical suffering.
It is in the nature of non-pecuniary damage that it does not lend itself to precise calculation. If the existence of such damage is established, and if the Court considers that a monetary award is necessary, it will make an assessment on an equitable basis, having regard to the standards which emerge from its case-law.
Costs and expenses: The Court can order the reimbursement to the applicant of costs and expenses which he or she has incurred – first at the domestic level, and subsequently in the proceedings before the Court itself – in trying to prevent the violation from occurring, or in trying to obtain redress therefor.
Such costs and expenses will typically include the cost of legal assistance, court registration fees and suchlike.
They may also include travel and subsistence expenses, in particular if these have been incurred by attendance at a hearing of the Court. […]"

Let's complete with the text *[Droit européen des droits de l'homme/Convention EDH et présomption de préjudice. Article par Katarzyna Blay-Grabarczyk.* Appartient au dossier: "*Existe-t-il un préjudice inhérent à la violation des droits et libertés fondamentaux?" RDLF 2013, chron N°02. Taken from the site: http://www.revuedlf.com/cedh/convention-edh-et-presomption-de-prejudice-article/, (translated into English from the original text)]* which establishes the following:
"In order to encrypt the material damage, the ECHR Court relies precisely on the evidence provided by the parties.
The applicant and the respondent State must respectively provide information in support of their respective claims.

The need to provide proof of the material damage suffered appears particularly clearly when the information provided to the European judge does not prove to be sufficient.
[...] The Court therefore regularly rejects, as in the case of liability litigation, claims for compensation submitted by applicants if they have not shown that the material damage suffered was the direct consequence of the violation found.
In such cases, the European judge merely notes, without giving specific reasons, that the direct causal link between the violation found and the loss of profit or material damage has not been established.
On the other hand, there are cases in which the Court has relaxed its requirement of a causal link between the proven breach and the alleged damage by introducing the notion of "loss of chance".
In this case, its approach then comes a little closer to the possibility of damage inherent in the violation of a treaty provision. **This concept, mainly used in the field of Article 1 of Protocol No. 1 [...]**
Allows the Court "to grant the applicant, in certain cases, appropriate compensation for loss of real opportunities" [...].
Mainly used as a subcategory of material damage (by making it possible to circumvent the qualification of damage and by remedying the uncertain causal link between the generating event and the cause), **the notion of "loss of opportunity" can also appear as the justification for award of compensation for non-pecuniary damage.**
It is in the field of moral prejudice that the presumption of prejudice, due to the violation of a conventional provision, can under certain conditions, be retained. [...]
The existence of the presumption of harm in the event of non-pecuniary damage The possible presumption of harm would, on the other hand, manifest itself in a different way in the field of non-pecuniary damage.
According to this hypothesis, an infringement of one of the conventional freedoms would de facto lead to the existence of a moral prejudice giving rise to a right to compensation.
Theoretically, under the logic of Article 41 of the Convention, it is up to the applicant to provide proof of the moral damages suffered.
Thus, following this line, the ECHR Court sometimes rejects a claim for compensation insofar as the applicant fails to demonstrate the existence of the non-material damage claimed [...]".

We will now decipher what these texts present to us, in order to see to what extent we can implement what is presented here, concerning the possibility of compensation reserved for victims.
It is stated here that people who suffer harm based on a violation of the European Convention on Human Rights or its protocols by a State have the right to be compensated.
This compensation resulting from recognized material or moral damage will also take into account the reimbursement of the costs that the victim had to pay to defend themselves.

We have also seen that in the case of a manifest violation of the rights set out in the European Convention on Human Rights, evidence attesting to the material damage must be provided and that it must be demonstrated that this damage suffered was **"the direct consequence of the violation found".**

Apart from that, we discover, among other things, that moral damage can, just like material damage, give rise to the right to compensation.
We understand that this type of damage is easier to prove. Indeed, whenever there is an infringement of one of the freedoms conferred by the European Convention on Human Rights, there is in principle moral prejudice at stake.

However, even if it is easier to demonstrate, here again, it is necessary to be able to prove and explain moral prejudice, which represents the physical or mental suffering that the act in question has caused to the victim.

Here, the thing is relatively simple, in the context of those who have been forced into unemployment by the vaccinal laws against covid 19 and/or Sunday laws and who therefore have had no income, it is enough to present the repercussions in the lives of these people, that these bans on working that these unconstitutional laws have generated.

> **Example:** Concerning, Mr. MARGUERITE, for the moral prejudice, linked to the vaccinal laws against covid 19, we will tell you, that nothing can quantify, 4 years of empty plates of meals that he has not been able to offer to his children because of laws, unconstitutional moreover, which have deprived him of his income, or that he finds himself with two companies that would have been prosperous with the finances discounted but which are on life support, because of the losses generated by these unfair laws.

Mr. MARGUERITE's feeling is that those who enact certain unfair laws have not taken the time to think about the possible repercussions that they will, like eddies, generate, generate. A law is normally supposed to be established for the good of citizens and for the balance of life in society and not to contravene the constitution, European rights and those of individuals.

Apart from the material damages that are taken into account, the European Court of Human Rights, on the basis of the European Convention on Human Rights, also deals with the **"loss of opportunity"** that the violation of an individual's rights has generated.

> Concerning Mr. MARGUERITE, we believe that we have largely proven, throughout this brief, the reality of the material and moral damages and the loss of opportunity that he has suffered, because of the Sunday and vaccinal laws against covid 19. There is no point in going back over it.
>
> Nevertheless, what can we learn from all this and how can we apply it to our context? Here we discover, as is the case in any court of justice, that the applicant who comes to present his application will have to provide the evidence intended to support his rights.
>
> We have presented this evidence to you, throughout this brief.

Furthermore, in these texts, we have seen that when there has been a violation of the Convention or its protocols, the injured party must be granted, if applicable, just satisfaction.
This represents all sums that the State has agreed to pay to the applicant party, therefore to the person who has been a victim of the governmental system.

> In practice, the damages that the State must give to the victim are called **"just satisfaction",** which represents a sum of money intended to compensate for the damage(s) suffered.

Considering the above, let us come to what Mr. MARGUERITE experienced and what we can support, to demonstrate the reality of the harm he suffered and the compensation, which in our opinion, should be paid to him by the French State.
To do this, we will tell you that in order to be able to quantify the reality of the damages to be paid to the victim, it must be taken into consideration that he must **"should be placed, as far as possible, in the position in which he or she would have been had the violation found not taken place, in other words, restitutio in integrum.**
This can involve compensation for both loss actually suffered (damnum emergens) and loss, or diminished gain, to be expected in the future (lucrum cessans).
[…] Normally, the Court's award will reflect the full calculated amount of the damage."

20 The reality of the “mirror to larks” of the “vaccinal pass” instituted by the French government under cover of covid 19

To begin this chapter, I would say that since the beginning of this book we have highlighted many realities, linked to the obligation to vaccinal against covid 19, but which were largely of a legislative nature, therefore of juridical scope. We are now going to change our approach and to do this, we are going to take into account the human interactions that allowed these vaccinal laws against covid 19 to see the light of day in France and I will focus on some of the most saddening events, in my opinion.
The objective of this chapter is that every French person, whatever their vaccination status against covid 19, vaccinated with a complete vaccination schedule, vaccinated and “outlawed” for not having had their booster dose(s) or even unvaccinated, can realize in their soul and conscience that our rights as citizens do not seem to be the priority of our politicians, in their great majority, despite what they want to display.

> During this sanitary crisis that made the earth tremble with fear, we had become, in France, for them like **a flock of Panurge's sheep or even good little soldiers that they guided as they pleased,** according to an unacknowledged but unfortunately well-known design.

We are going to decipher the iniquitous acts that certain “politicians”, Mr. Emmanuel MACRON, at the top of the list and some of his ministers, have practiced, under the cover of a pandemic and by which they have acted in a discriminatory manner towards French citizens. To get to the heart of the matter, I invite you to reread the text *[Loi renforçant les outils de gestion de la crise sanitaire et modifiant le code de la santé publique. Décision n° 2022-835 DC du 21 janvier 2022 – Communiqué de presse (translated into English from the original text)]* which sets out the following:
“In its decision no. 2022-835 DC of January 21, 2022, the **Constitutional Council** *ruled on the law strengthening health crisis management tools and amending the public health code,* **which had been referred to it by two appeals from more than sixty deputies and more than sixty senators respectively. The applicant deputies also challenged the provisions of Article 1 of the law referred, allowing access to a political meeting to be subject to the presentation of a “sanitary pass”.**
[…] By this yardstick, the Constitutional Council considers that, by adopting the contested provisions, the legislator intended **to make access to meetings that present an increased risk of spreading the epidemic due to the occasional meeting of a large number of people likely to come from distant places, subject to the presentation of a “sanitary pass”.** *It thus pursued the constitutional objective of health protection.*
The Constitutional Council notes that, however, unlike the provisions which specify the conditions under which the Prime Minister may make access to certain places subject to the presentation of health documents, the contested provisions did not require the enactment of such measures by the organizer of the political meeting neither on the condition that they are taken in the interest of public health and for the sole purpose of combating the covid-19 epidemic, nor on the condition that the health situation justifies them with regard to viral circulation or its consequences on the health system, or even that these measures are strictly proportionate to the health risks incurred and appropriate to the circumstances of time and place.
He deduced that, under these conditions, the contested provisions do not achieve a balanced reconciliation between the aforementioned constitutional requirements. It declares them contrary to the Constitution. [...]”

The first point I would like to highlight here is that this decision of the Constitutional Council (French), which allows me to debate today, exists through the referral of these French deputies and senators who spoke out against this liberticidal law which was the basis of the “vaccinal pass”.

Following the intervention of these parliamentarians, this part of the vaccinal law against covid 19, aimed at allowing an exception to be made so that access to political meetings is possible with a “sanitary pass” was rejected, and even declared contrary to the French Constitution.

For the record, on the date these legislative bases were enacted, January 21, 2022, we had **348 senators** and **577 deputies** in France, or **925 elected** “of the people”. It is therefore a tiny part of our representatives who, at this time, spoke out.

> The presidential majority, for its part, has continued to hammer home the “iniquitous nail” of the covid 19 vaccinal laws, which has led part of the population to become pariahs of society. These are of course those not vaccinated against covid 19 but also those vaccinated who did not have a so-called complete vaccination schedule and who joined the ranks of this first category.
> In France, they no longer had the “right of citizenship”, or of sharing with those who were up to date with their vaccination.

Let's first discover the showcase exposed by the French government to its citizens and to the world regarding the “fierce” fight it has led against this pandemic. Then, in a second step, I will show you the other side of the decor, much less glorious. Let's join the dance, to discover the tip of the vaccinal against covid 19 iceberg, the one that was presented to everyone. To present these realities to you, I invite you to read part of the speech given by Mr. Jean CASTEX on **December 17, 2021** *[Service Communication, Hôtel de Matignon, le 17 décembre 2021. Déclaration de M. Jean CASTEX, Premier ministre. Mesures de lutte contre la COVID-19 (translated into English from the original text)]* which establishes the following: **“Nev*ertheless, a new wave of contaminations is coming at a time when we are already at a very high level and, as I said, our hospitals are already under great pressure and will remain so in the weeks to come. To better prepare and protect ourselves, we must therefore take new measures.***
[…] This of course requires strict respect for the barrier gestures that the French know by heart: Wearing a mask, avoiding hugs, regularly airing closed places because the more you air out, the more you drive out the virus.
This requires a simple recommendation that our Scientific Council will recall in an opinion published tomorrow: *Rather than a specific number – 6, 8 or 10 –* **let’s rely on a principle of common sense: the fewer of us there are, the less risk we take. Whether at home, in a restaurant, party hall or bar: Let's avoid big parties, big gatherings or big dinners which we have seen in recent days in Norway and Denmark how much they can create uncontrollable clusters of viral spread. […]**
With regard to large gatherings and outdoor events, in particular the evening of December 31, the prefects will prohibit wild gatherings, the consumption of alcohol on the public highway and will invite the municipalities to give up the organization of large gatherings on the public road, in particular fireworks or concerts, particularly when they result in high concentrations and do not allow either distancing or respect for barrier gestures.
In this spirit, because everyone is aware that the month of January is the month devoted to good wishes, **I appeal to everyone's responsibility to find other methods than large gatherings and to avoid in any case the moments of conviviality which are traditionally attached to it. These measures complement the closure of nightclubs and the ban on dance evenings in bars and restaurants:**
They are harsh and I understand the frustration of having to limit ourselves in these festive moments, but they are essential and we owe them to our caregivers. […] *But what our caregivers expect from us is that we be careful and above all, above all, that we get vaccinated,* **because even today nearly 6 million people are still not vaccinated.**
[…] More than 17 million French people are already fully protected and 25 million will be by the end of the year. […]

While we have given time, a lot of time, to these French people who had hesitations and doubts, in January we will strengthen the incentive to vaccinate.
Because it is not acceptable that the refusal of a few million French people to be vaccinated puts the life of an entire country at risk and affects the daily lives of the vast majority of French people who have played the game since the start of this crisis, *we have decided with the President of the Republic that a bill will be submitted to Parliament at the beginning of January,* **in particular to transform the sanitary pass into a "vaccinal" pass […]**
From now on, only vaccination will be valid in the pass. At the beginning of next week, I will hold preliminary consultations on this project, as well as on any other useful measure to extend vaccination to the maximum. We take responsibility to put the burden on the unvaccinated, *because critical care and resuscitation units are filled for the most part with unvaccinated people.*
[…] My dear fellow citizens, ladies and gentlemen, I share with you a situation that we would have liked to have been different. I share with you that it can create weariness. *But I also share with you that vaccination allows us to arm ourselves against this new threat,* **provided that we are together as vigilant as possible in the coming weeks […]".**

Here, we discover through the French Prime Minister, that the government and the Head of State at the head, had "made plans" to protect us, the citizens.
To do this, like loving parents, they watched over our health by urging us to be vigilant, in particular by practicing barrier gestures.
At first glance, this advice is quite relevant. In addition, the highlight of these measures intended to protect us was the following, we must put in place **"a principle of common sense: the fewer of us there are, the less risk we take".**

> To do this, we must avoid large parties, large gatherings or large dinners because they can create uncontrollable clusters of spread of covid 19.

In order to ensure that no one would violate these rules during this festive period, the Prime Minister decreed that **"With regard to large gatherings and outdoor events, in particular the evening of December 31, the prefects will prohibit wild gatherings."**
In addition, it is recommended that **"municipalities to give up the organization of large gatherings on the public road, in particular fireworks or concerts, particularly when they result in high concentrations and do not allow either distancing or respect for barrier gestures."**
The objective of all this being to **"avoid in any case the moments of conviviality which are traditionally attached to it."**

Finally, nightclubs were closed and dance parties in bars and restaurants were banned, all of these places generating large gatherings and not allowing barrier gestures to be practiced.
The only objective "obviously" that motivated the implementation of such a draconian plan, taking away the freedom of the people, was "of course" our safety.
How could it be otherwise? In his speech, at the time, the Prime Minister even showed great empathy, sympathizing with us about the situation, sharing our weariness.
Let's continue, in the same vein, he had then announced that he was going, on behalf of the government and under cover of the head of state, to crack down by forcing those who had not been vaccinated against covid 19, presented as irresponsible since they represented a danger to the population and in particular at the origin of the restrictions which then persisted and which unfortunately constrained "those who had played the game", the vaccinated.
The central axis of all these measures was the hospital overvoltage.

> It is therefore to support our caregivers that all these restrictions on the freedom of the French were put in place and that the "vaccinal pass" was instituted.

I have just presented the setting, the tip of the iceberg, here we have the impression of living in a world where politicians have the well-being of the people as their primary objective and, having put on their shining armour and mounted their superb steed, seek at all costs to protect us.
With all this in mind, I would say that if I had not read this text – yes, the one that serves as my basis, the one that sets out and establishes the reasons for the Constitutional Council (French) – my eyes would not have opened and I would have said to myself that we should deviate from the rule and reverse the roles to offer the Legion of Honour to the President of the Republic, his Prime Minister and each member of his government.
Yes, because what is presented here is most moving and their actions seem to be most heroic. But there you go, I know!

> Yes, I see, by the grace of God, beyond the veil and I will now present to you the fruit of this new vision of things, based on real and tangible facts.

Let's now look at the base of the iceberg, the one that I consider to be the hidden face as well as the true reality on which, in my opinion, the speech of the French Prime Minister Mr. Jean CASTEX and the vaccinal laws against covid 19 were based.
To begin with, let's go back to this decision of the Constitutional Council. We discovered that, if during the electoral campaign for the 2022 presidential election, no pass was required, neither “sanitary” nor “vaccinal” to access political meetings, it is because in the law it was not specified that they were mandatory for this type of gathering.
This small detail, these two little words “political meeting”, not being part of the list like bars, restaurants, cinemas, leisure facilities, at the time the proposed vaccinal law against covid 19 was amputated from this paragraph recognized as being unconstitutional.

> Here, I could have said that this suited the politicians who were able to campaign in great pomp for the presidential elections, but I will refrain from doing so, let's stick to my train of thought.

So, one might think that the desire to subject access to political meetings to the presentation of a sanitary pass meant that the government was keen to ensure that participants were not contaminated and therefore that the sole objective was the health of the French. But then, if this is really the case, I would like someone to explain to me certain points that struck me in this text that has been referred to many times.

To begin with, it is important not to lose sight of the fact that the members of the Constitutional Council have noted that the process of requesting a “sanitary pass” to access political meetings was a good thing.
Here is what is said precisely on this subject: *this approach pursued* **“the constitutional objective of health protection”.** Also note this: **“[…] access to meetings that present an increased risk of spreading the epidemic due to the occasional meeting of a large number of people likely to come from distant places […]”.**

Based on these elements, we easily understand that the context of the political meeting is conducive to mass contamination.
The reasons given by the government to make the “sanitary pass” mandatory at the entrance to political meetings were in accordance with the Constitution (French), because they were intended to protect the people from this terrible pandemic.
The only concern was the small grain of sand that comes to jam the machine:

> **“[…] The Constitutional Council notes that, however, unlike the provisions which specify the conditions under which the Prime Minister may make access to certain places subject to the presentation of health documents, the contested provisions did not require the enactment of such measures by the organizer of the political meeting […]”**

It is because, as we have already seen and reviewed, that the words “political meeting” were forgotten in this list, that this article of this bill was rejected.

Until then, let's give the benefit of the doubt, and say that it seems just an oversight by the legislators, which led to this exception in the law.
Anyone can make an omission, right? In this, we cannot in any way accuse Mr. Jean CASTEX or his government, or even Mr. MACRON of not having as their primary ambition, within the framework of the vaccinal laws against covid 19, the well-being and health of the French. That would be a trial of intent.
On the other hand, the fact that they have not since corrected the situation changes the situation. Let me explain:

> The Constitutional Council has recognized the constitutional validity of requesting a "sanitary pass" to access a political meeting, because it helps protect the health of the French.
> The only point that was missing is that the term "political meeting" was not included in the list of places where this "pass" was recognized at the legislative level. Here, "the bread was already falling all cooked into the beak".
> It did not seem complicated to me, it was enough to vote a law that would supplement the one that already existed by decreeing that "political meetings would also be subject to the sanitary pass".
> With this overwhelming majority at the level of the National Assembly that this French government held at the time and the fact that the Constitutional Council had already recognized the merits of this approach, this amendment to the law would certainly have passed without any problem, yes, "like a letter in the post".
> Hum... from the date of the decision of the Constitutional Council, namely January 21, 2022 and until March 14, 2022, the date of the suspension of the "vaccinal pass" in mainland France, have you heard such an announcement, has the sound or the tinkling of such a bill reached your ears?
> I ask you the question because I have not heard anything of the sort.

All this could pass for a simple oversight, or as being secondary for the French government of Mr. MACRON's first five-year term, but it was not, because as we have seen, a drastic organization that leaves nothing to chance is supposed to have been put in place to supposedly protect the French from covid 19.
Nevertheless, it is clear that the primary objective that the Head of State and the members of his government had set to justify the implementation of the "vaccinal pass" has been, according to what we have just seen, set aside.
To understand it, let's read this other extract from the speech of Prime Minister Mr. Jean CASTEX *[Extract from: Service Communication, Hôtel de Matignon, le 17 décembre 2021. Déclaration de M. Jean CASTEX, Premier ministre. Mesures de lutte contre la COVID-19 (translated into English from the original text)]* which establishes the following: **"[…] Our hospitals are already under great pressure and will remain so in the weeks to come. To better prepare and protect ourselves, we must therefore take new measures. […]**
We take responsibility to put the burden on the unvaccinated, *because critical care and resuscitation units are filled for the most part with unvaccinated people. […]*
You have understood it: Even if we are still facing a part of the unknown on the effects of this Omicron variant, the duty of the Government is to anticipate and prepare the country for this new threat. My dear fellow citizens, ladies and gentlemen, I share with you a situation that we would have liked to have been different. I share with you that it can create weariness."

Here, there is no possible ambiguity about what is displayed, take measures in anticipation to counter the effects of **the Omicron variant,** the intended purpose being to **"limit its impact",** always with this main objective, isn't it, that of preserving populations and avoiding increasing pressure in hospitals.
It is with a view to remedying this situation that the leaders of the French people then **"to put the burden on the unvaccinated".**

How can we understand this little sentence as a conclusion **“I share with you a situation that we would have liked to have been different”.**

Yes, certainly, but where is the diligence in the face of the urgency of this pandemic, when an amendment to a law is not proposed when it would allow us to remain in this concern for protection so well displayed until then; especially since political meetings, let us remember, attract thousands of people. Well, well, well!

Now, in light of what I have just presented, we can clearly see the inertia of this French government, which could very well have changed the law to make access to political meetings conditional on the presentation of a “sanitary” or “vaccinal” pass.
If this had been done, we could then say that their primary motivation was really the well-being and protection of the French.
Indeed, since these places (political meetings) carry significant risks of contamination, this situation would have been translated at the legislative level.

Two weights, two measures and not the least !

So when it suits them, Mr. Emmanuel MACRON, his ministers and other elected representatives of the majority, have “turned a blind eye” to places that were likely to become “virus nests” and suddenly, the health of the French seemed to be relegated to the background but at the same time, for other areas of our daily lives, they have oppressed us with these liberticidal “pass”.
Look for the error! As soon as we are able to step back from a situation, we immediately see things from a different angle.
In this specific context, as I said, the decision of the Constitutional Council (French) opened my eyes and the questions poured in.

Yes, because if the “pass” were primarily intended to protect us, wasn't it more worrying that a large number of French people could gather in this way at political meetings?

Was it only in the context of our family, fraternal or leisure gatherings that the constraints of the “liberticide pass” were useful and the virus active?

It is true that this is about politics and we are not naive, there is indeed in this case an interest in acting! In the context of political meetings, the safety and health of the French people so highlighted in other areas of our lives suddenly took second place at the time since, for those who are behind the laws, such a gathering no longer seemed to present any risk at all.

Of course, we must not hinder the freedom of the French people, who can come in large numbers to support their candidates without an oppressive “pass” being able to constrain them.

Thus, politicians were able, in the context of the French presidential elections, to hold, among other things, large meetings in order to win supporters to their cause and “gather” votes.
To better illustrate this reality, let's look at the figures announced for the political meetings that attracted the most participants, they will speak for themselves:

– 4000 participants for one of the candidates,
– 8000 participants for one of the candidates.

These figures are staggering, especially when we know that no “pass” was required to access political meetings, while on the contrary, other gatherings were prohibited in leisure places, without a “vaccinal pass” or “sanitary pass” until March 14, 2022 for mainland France and April 9, 2022 for the overseas departments (French).

How do you expect in this case, that the great speeches justifying the drastic measures taken by the government are credible?

It is certain that this window opened by the Constitutional Council (French)has given pride of place to all the candidates, even those who initially wanted the “sanitary pass” to access political meetings. On the other hand, what about the “pro-vaccines”, those who campaigned for the “vaccinal pass”?
If their primary objective was to protect the French, how can they accept exposing their supporters by allowing them to meet in such large numbers?

Let us return again to the position of the presidential majority by playing the naive, we have seen that it could have proposed an amendment to the law to include political meetings in the list of places and activities subject to the pass. It did not do so.
With this foundation, I will now present to you a political deception worthy of the great detective novels, which has as its epicentre the backstage of power, and as its “turkey of the farce”, the French, in their opinion.

First of all, let us set the scene for this dramatic fresco, by reading the text *[La Martinique face au COVID-19 : mesures, attestations, recommandations. Taken from : https://www.martinique.gouv.fr (translated into English from the original text)]* which establishes the following:
“[…] As of April 09, the rules of reception of the public evolve in the ERP (this French acronym qualifies the establishments receiving the public):
- Wearing a mask will be strongly recommended in all enclosed places and places where people are concentrated, and no longer compulsory. However, it will remain mandatory in public transport, in health establishments and for contact cases.
- The sanitary pass will be suspended. It will no longer be required in ERP (restaurants, sports halls, cinemas, etc.) except for health establishments and medico-social establishments (excluding emergencies).
- Concerning places of worship: Suppression of the gauge.
- The mask is no longer mandatory but remains highly recommended. Regarding commercial activities:
- Abolition of the 8m² gauge per person in stores.
- Removal of mandatory seating for restaurants and entertainment. [...]”

First of all, it is important to emphasize that this text comes from a reliable source, that of the prefecture of Martinique.
Until April 9, 2022, those who live in Martinique but also in Guadeloupe and Guyana, among others, could not access restaurants, gyms, cinemas, etc. without a “sanitary pass”.
Gauges still remained at places of worship and in stores.

Now let's go back to mainland France. Here is what happened several days earlier: **“Emmanuel Macron’s campaign team** *announced this Wednesday March 16, 2022 that the President of* **the Republic would indeed organize a meeting on April 2. But the place where it would be held had not yet been revealed”.**
[Présidentielle 2022. Emmanuel Macron organisera un grand meeting le 2 avril. Taken from the website: https://www.ouest-france.fr (translated into English from the original text)].

Let us complete with this: **“The candidate president held his big campaign rally this Saturday in front of more than 30,000 activists.** *As the gap with Marine Le Pen narrows in the polls, he again detailed several of his proposals, targeted his far-right opponents and called for “general mobilization.”*
[Présidentielle: ce qu’il faut retenir du premier (et unique) grand meeting de Macron. Taken from the website: https://www.leparisien.fr (translated into English from the original text)].

Before getting to what is presented here, I would like to represent to you the reality that I was experiencing, while Mr. MACRON was holding a meeting in front of **30,000 people:**

In a little over two years of pandemic, because of the French decrees that are illegal, therefore unconstitutional, I was not able to hold a seminar.
Thus on April 2, 2022, the date of this “huge” political meeting held by Mr. MACRON, for my part, because of the “sanitary pass” which was still active and was until April 9, 2022 in the Antilles, I still could not hold a seminar.
However, my seminars generally bring together a maximum of 350 people. Because of this reality, I went from being a business leader to a status lower than that of a homeless person. To provide for my needs, I had to go to the town hall of my commune with my head down to ask for food aid.
This place where I had already held a seminar a few years ago. So, while in a single day I could have got my head above water, unfortunately the “sanitary pass” continued to oppress us in the Antilles, during this time Mr. MACRON held a meeting in front of 30,000 people!

Now that this foundation is laid, let's return to Mr. Emmanuel MACRON.
While the oppressive “sanitary pass” was still keeping me in poverty, MONSIEUR was holding a meeting in parallel with the aim of being re-elected.
Can you please remind me of the number of people who came to attend Mr. Emmanuel MACRON's meeting:

300, 3000, 10,000, 20,000, um... no, let's go up a little more, **30,000!** Yes, thirty thousand people! **It takes my breath away.**

I feel like I'm in a movie where on one side we see the suzerain feasting lavishly, while his subject is wasting away from hunger. To highlight the nonsense of what we have just seen, I will present it to you, in the form of satire:

First of all, let us recall the oppressive nature of the vaccinal laws against covid 19 enshrined in the “sanitary and vaccinal pass”.
For a certain period of time, all French people over the age of 16 could no longer access *“bars and restaurants, leisure activities (cinemas, museums, theaters, sports arenas, gymnasiums and performance halls, etc.), trade fairs and exhibitions, large shopping centers by decision of the prefects and interregional transport (planes, trains, buses)”.*
Nevertheless, it would seem that not everything was negative! "YES", because the French government of Mr. MACRON's first five-year term and its parliamentary majority which instituted the “vaccinal pass” being “great lords” and not wanting us ordinary citizens to be cut off from social life, they had sought at all costs to pardon us! In their great “self-denial” and so that we have the most fulfilling social life, they wanted to make access to political meetings conditional on the presentation of the least restrictive pass, the “sanitary pass”, but there you go, they did not win their case. What a great opportunity!
They offered us something even better, to keep this framework that the Constitutional Council (French) had established, and where from now on “the villain (bad guy) and oppressive pass” was no longer required.
We could therefore come as a family and in a large group, with a view to loudly chanting the name of the candidate of our choice.

Wow, we were finally free to get together, with family, friends... I am so moved.

I feel so supported and loved, yes, our government and the majority of elected officials had thought of us so that we could take crowd baths during political meetings, as part of the presidential election, and this in complete freedom, without these liberticide “pass” coming to hinder us!

How generous of them!

Who would have a handkerchief to pass me, the emotion that overwhelms me is so strong that I cry with joy. What can I say except:

Yay... because in this context, the oppressive “sanitary pass” or its little, but nevertheless more virulent, brother the “vaccinal pass” has been defeated here.
Blow off the fireworks, it's a day of celebration and joy...!

How “altruistic” our politicians are and think of us the people. Yes, because it seems that it was more dangerous to go to the cinema, or to a restaurant, than to a political meeting where there are more than thirty thousand people.

Indeed, it was apparently more dangerous to meet in a bar or a small restaurant which brings together on average **30 people,** or even much less, than in a political meeting which can attract thousands of individuals, as we have seen, one political meeting brought together **8,000** participants and that of **candidate MACRON, 30,000.**

It seems that covid 19 is more fond of restaurants, bars and cinemas than political meetings. Thus, like a homing warhead that is armed to hit only a well-defined target, the corona virus is supposed, it seems, to target only those who are in places of leisure to “hit” them and avoid those who are in political meetings. High technology!
WARNING DANGER: French people, my fellow citizens, be vigilant... the virus targets you according to where you go... so do not go to restaurants, bars, cinemas... because you are in danger of death, because the corona virus primarily targets these places...
On the other hand, go and listen to our politicians without moderation!

If the objective of the French government of the first five-year term of Mr. MACRON and his parliamentary majority was, with this “vaccinal pass”, to protect the populations, do you think that they would have remained on this refusal of the Constitutional Council and would have allowed the French to be exposed to this deadly virus by going to political meetings with such a crowd.

We can see that the truth is elsewhere!

Thus, if it was possible for a large number of people, thousands, to gather at a political meeting without having the “sanitary pass” or the “vaccinal pass” as a sesame, it was therefore just as conceivable that the French could access places of leisure or their workstation with the same fairness.

Throughout this book, I have already demonstrated to you, by referring to the appropriate texts, that the vaccinal obligation was contrary to the Constitution (French) and should be declared null and void. However, as we have seen, although suspended, it continued to constrain the medical and similar sectors, where unvaccinated agents could not carry out their activities without being vaccinated and this, until this law of May 13, 2023.
Thus, in view of what I have noted, it would seem that everyone is trying to “defend their bread” or even their political ambition.
So, if these politicians can assert “their privileges” to defend “their bread”, and this to the detriment of the people, we the citizens must also defend ours.

With all that we have just seen, it seems important to me to consider the following: **“The guarantee of the rights of Man and of the Citizen requires a public force: This force is therefore instituted for the advantage of all, and not for the particular utility of those to whom it is confided”.** *[(French) Article 12 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

What is presented here and which constitutes one of the bases of our Constitution (French) is clear, and presents those who have authority over France as not having to (they are forbidden from doing so) work for their own interests to the detriment of the needs of their fellow citizens.

Is this what we have observed during the past months?

Thus, while the French State had decreed that without a “vaccinal pass”, in mainland France, no one could work, in certain sectors, or have fun because of the pandemic and had put restrictions in place, he could not at the same time fail to regularize an "oversight" which meant that despite the yoke of the “vaccinal pass”, there was no longer any restriction on participating in political meetings.
That the Constitutional Council (French) rejected the article of law that subordinates entry to political meetings to the presentation of the “sanitary pass” is one thing, but that the government did not act diligently to repair this “oversight” is another.
Isn't it also unconstitutional to have allowed this deficiency to exercise this “double standard” for months?

> Furthermore, let us not forget that in its decision the Constitutional Council recognized that this article of law was consistent with **“the constitutional objective of health protection”.**

In doing so, such a legal vacuum could not remain, otherwise it would contravene this obligation to protect the health of the French that the Constitution confers on them and that the government is obliged to provide them.
Furthermore, the rejection of this paragraph of the vaccination law that we are looking at, means that it is the elected officials who have been favored to the detriment of the needs of the people and in particular their right to be protected, which is highlighted with the vaccinal laws against covid 19 for all other areas of our daily lives.

This article of the law, aimed at only authorizing access to political meetings upon presentation of the “sanitary pass” had created an imbalance between the right of the French to be protected in terms of their health and that of being able to enjoy their freedom and their leisure. This is precisely what the Constitutional Council (French) noted.

As we have seen, when a law fails to establish a balance between the various articles of the Constitution (French), it is unconstitutional and must therefore be repealed immediately.

> To continue, I would say that I understood that the position of the French government, faced with this liberticidal law which was the basis of the “vaccinal pass”, was not the one it wanted to display, It’s saddening and revolting at the same time. Indeed, behind the veil of the pandemic, a showdown was played out between their people and them, the objective being to bring as many people as possible to bow under the rule of the State.
> This reality is clearly displayed in the words of the President of the Republic, Mr. Emmanuel MACRON and several of his ministers.

To begin this part, I invite you to read these words which have certainly not escaped you. Here is what Mr. Macron said to the journalist: **“Emmanuel Macron assured, in an interview with the newspaper Le Parisien, that he intends to “completely piss off the unvaccinated”.**
“Almost all of the people, more than 90%, have adhered” to the vaccination and “it is a very small minority who are refractory”, he added”.
[France 24. Post: Emmanuel Macron se dit déterminé “à emmerder les non-vaccinés jusqu'au bout”. Tiré de: https://www.france24.com/fr/france (translated into English from the original text)].

The first point I would like to make is the context in which this exchange took place. It is not a private conversation that was recorded without his knowledge, but a public statement whose words were carefully weighed. To understand the scope of Mr. MACRON's statements, let's take a concrete example:

Imagine yourself in the courtyard of a kindergarten and there a little rascal chooses to “piss off”... oops Sorry... such a term is far too vulgar for young ears, so we will say importunate his little comrades, and in addition he proclaims it loud and clear and is proud of it. What do you think will happen when the headmistress finds out? Will she laugh about it with him? I do not believe that!

Because we live in a society where there are rules and the first one is to respect your little friends, and by extension your neighbor.

I find it shocking that this elementary rule that has been inculcated in us and that we inculcate in our children, from their youngest age, is ignored by Mr. MACRON, the President of the Republic.

Thus, while fathers and mothers could not feed their children or meet their financial obligations, because the current government has outrageously deprived them of their rights, Mr. Macron “has fun with them” as would a brat who takes pleasure in tearing off the wings of flies, just to see them struggle.

Since when, in a civilized society and moreover a Republic, can we make plans to “piss off”, therefore harm our neighbor, and proclaim it loud and clear, without there being a backlash to such acts?

In any case, I will not keep quiet!

Mr. Macron has “posted” his message for all the French people who are not vaccinated, so for me. This book is therefore the answer that is sent to him in return, from one of those he takes pleasure in “piss off”!

He did not stop at these intolerable remarks, let's see what happens next: *“[...] In his interview with the readers of Le Parisien, published on Tuesday January 4, the President of the Republic not only assumed his “desire” “to piss off the French”.*

He also felt that unvaccinated people were “irresponsible”. “When my freedom comes to threaten that of others, I become an irresponsible. An irresponsible is no longer a citizen”, did he declare”. *[Post: “Un irresponsable n'est plus un citoyen”: cette autre phrase de Macron sur les non-vaccinés qui choque. Taken from the website: https://www.francetvinfo.fr (translated into English from the original text)].*

To speak to you about what is presented here, I would say to you that the fact of saying on a media that he wishes **“to piss off the French”** is already a serious fact, but in the world of the abject, the waves which follow can be devastating, *Mr. MACRON,* demonstrates it to us here.

In order to take the scope of these remarks, we must first of all, keep in mind what are the rights and duties of French citizens. To see this term thus *“overused”,* moreover, by the highest figure in the State, is extremely shocking.

It is an attack that is brought to the notion of the citizen, as the latter appears in the French Constitution which advocates these values of freedom, equality and fraternity.

If we are no longer citizens, who are we, sub-humans, without rights?

To discover the meaning of this pillar that founds the Republic, we will review several articles of the French Constitution.

Before *“unpacking”* these articles, I would like to say that there is no more beautiful hymn to citizenship than this *[Déclaration des droits de l'Homme et du Citoyen de 1789 (Declaration of the Rights of Man and Citizen of 1789)],* because it was born thanks to the valiant defenders of the Republic of the past, at the cost of their blood. The first objective of these great conquerors was that no powerful iniquitous person would come to outrage or scorn the rights of French citizens.

Today, we can see that the reality is often quite different and that these beautiful and noble principles sometimes remain theoretical.

The link is quite found to return to the declarations of Mr. MACRON, let us see the continuation of his remarks:

> **“When my freedom comes to threaten that of others, I become an irresponsible. An irresponsible is no longer a citizen.”**

After the first shock, let's analyze this sentence with regard to the following articles to see if it finds its translation: **“Art. 4. Freedom consists in being able to do all that does not harm others***:*
Thus, the exercise of the natural rights of each man has no bounds (limits) other than those which assure the other Members of the Society the enjoyment of these same rights. **These bounds (limits) can only be determined by law”.** *[Articles 4 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

We discover here that one of the duties of the citizen is to always act in such a way that his freedom cannot harm others. This first text seems to be in line with the declaration of the President of the Republic, but is it really the case?
Should we use this article of the French Constitution to call on all unvaccinated against covid 19 French people to accept vaccination in order to protect others?
Does acting otherwise really make “vaccination recalcitrants” **“irresponsible”,** who are no longer worthy of having the status of **“French citizens”,** as advocated by Mr. Emmanuel MACRON.

To answer this question, it is useful to go back to the reality of vaccination.
We now know that being vaccinated does not make us immune to covid 19 and that we can infect others.

> Admittedly, it is said that the vaccine protects against serious forms and reduces the viral load, this would be scientifically proven, but here again, this statement is not unanimous among doctors.

Thus, we are not in a context where the vaccine can protect us with certainty as well as those we approach, so if we are not vaccinated against covid 19, we do not contravene this paragraph of the law.
In addition, it is also declared in the French Constitution the following: **“The Law has the right to defend only those actions that are harmful to society. Everything that is not defended by the Law cannot be prevented, and no one can be forced to do what it does not order”.** *[(French) Articles 5 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

Coronavirus vaccines, let us recall, were not and still are not “mandatory”, as childhood vaccines are in France. Thus, those who refuse to be vaccinated are not breaking any law.
Furthermore, it is unconstitutional to want to force a citizen to do something that the law does not order. Before continuing, it is important to note that when Mr. Jean CASTEX, French Prime Minister, publicly declares **“[...] We take responsibility to put the burden on the unvaccinated [...]”,** in doing so, the French government is contravening the *[(French) Articles 5 de la Déclaration des Droits de l'Homme et du Citoyen de 1789].*

Yes, because without a law that stipulates it,, no one can claim to force a French citizen to act against his will. Thus, the members of the French government of Mr. MACRON's first five-year term, having contravened the law, therefore become punishable by it.

To continue in this way, let us discover the following article which is flouted when we consider the declaration of Mr. MACRON:
“The Law is the expression of the general will. All Citizens have the right to contribute personally, or through their Representatives, to its formation. It must be the same for all, whether it protects or punishes.

All Citizens, being equal in his eyes, are equally admissible to all dignities, places and public employments, according to their capacity, and without any other distinction than that of their virtues and their talents". *[(French) Article 6 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

The French Constitution has established that no one can be discriminated against in relation to employment, yet this is precisely what happened with the compulsory vaccination against covid 19 for certain professions. And yet!
We have demonstrated, with supporting texts, that these vaccinal laws against covid-19 which, although suspended, continue to be active, because they have not been repealed, have no reason to exist, because they contravene the "Declaration of Helsinki".
Indeed, this compulsory vaccination against covid 19 had been established for vaccines in the research phase without the possibility of exercising informed consent, which is nevertheless essential, being offered to the French.
In addition, we have also seen that since the vaccine against covid 19 is no longer the only alternative to the pandemic, the framework that the French Constitutional Council has set for compulsory vaccination is obsolete.

Let us continue to list the reasons that demonstrate that it is, on the contrary, the French State that is in a criminal position since on many points, it transgresses established laws.
We have also seen that the unvaccinated, just like the vaccinated, could be carriers of the covid 19 virus and infect others.
With all this in mind, since the the vaccine against covid 19 does not confer immunity against this virus, no one should be forced, against their will, to be vaccinated and in no way be legally struck if they refuse to do so. In view of the arguments that we have developed throughout this book, we easily understand that forcing the French to be vaccinated in order to keep their jobs is quite simply "against the law", the State (French) contravening the laws of its Constitution.

In the same vein as what we have just seen, it is important to read the following: **"No man can be accused,** *arrested or detained* **except in the cases determined by the law, and according to the forms it has prescribed.**
Those who solicit, expedite, execute or cause to be executed arbitrary orders must be punished; *But any citizen called or seized by virtue of the Law must obey at once: he makes himself guilty by resistance". [(French) Articles 7 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

As we see here, no one can be wrongly accused.
Thus when the President of the French Republic, Mr. MACRON, declares, speaking of French people who do not want to be vaccinated **"When my freedom comes to threaten that of others, I become an irresponsible. An irresponsible is no longer a citizen"** he is making defamatory remarks there, because I have proven to you legislative texts in support, that it was not so.
By his words, he contravenes the law and for that he is punishable by it, at least when he can no longer invoke his immunity as President of the Republic.
Let's discover another important point by reading this: **"Any society in which the guarantee of rights is not assured,** *nor the separation of powers determined,* **has no constitution".** *[(French) Article 16 de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

Thus, the government has flouted the rights of French citizens through these false allegations which are, as we have seen, defamatory and contrary to the provisions of this Constitution that they are called upon to defend. In this regard, I wonder, would the qualifier used by Mr. MACRON to designate those not vaccinated against covid 19 not rather apply to his own camp?

Let us review these incriminated remarks once again:

> **“When my freedom comes to threaten that of others, I become an irresponsible. An irresponsible is no longer a citizen.”**

If we stick to these qualifiers, to these insulting remarks that Mr. MACRON made against those who did not comply with this injunction to be vaccinated against covid 19 – while the vaccinal laws against covid 19 contravene supranational standards and the French Constitution –, we can legitimately wonder who the real irresponsible people are!
Furthermore, I would say that in light of what follows, the declaration of Mr. Emmanuel MACRON, seems to me almost comical, considering what the French constitution presents as a danger to the French:
“The Representatives of the French People, constituted as a National Assembly, considering that ignorance, forgetfulness or contempt for human rights are the only causes of public misfortunes and the corruption of Governments, have resolved to expose, in a solemn Declaration, the natural, inalienable and sacred rights of Man, so that this Declaration, constantly present to all Members of the social body, constantly reminds them of their rights and their duties;
So that the acts of the legislative power, and those of the executive power, which can be compared at every moment with the purpose of any political institution, are more respected;
So that the reclamations of the citizens, henceforth founded on simple and indisputable principles, always turn to the maintenance of the Constitution and to the happiness of all.
Consequently, the National Assembly recognizes and declares, in the presence and under the auspices of the Supreme Being, the following rights of Man and of the Citizen”. *[Introduction ou préambule de la Déclaration des Droits de l'Homme et du Citoyen de 1789 (translated into English from the original text)].*

Yes, it is when Mr. MACRON and the members of his government act according to works of intolerance, put aside and despise the rights of their fellow citizens that they bring misfortune on our country. This definition is very different from theirs.
Let us review what is said: **“ignorance, forgetfulness or contempt for human rights are the only causes of public misfortunes and the corruption of Governments”** and that it is with a view to remedying this that it was enshrined in the French Constitution.

One of these primary objectives is to constantly remind **“Members of the social body… their rights and their duties”,** the ultimate goal being the happiness of all, through acts carried out in compliance with the maintenance of the Constitution (French).
These realities are absent in the statements of the President of the Republic and of several of his ministers.

On the contrary, they contravene, as we have seen, several articles of the French Constitution. To continue to develop this theme which is not yet exhausted, on the discriminatory words pronounced by Mr. MACRON, I would say to you that often we speak without taking the range of what we say.
The thing is serious for the average citizen, but it has an “apocalyptic” scope for a president, moreover, the one of the French Republic.
To deepen what we have just seen, I am now going to establish some realities by a reasoning by the absurd, which you will see, is not so much.

> I remind you that he affirms that the non-vaccinated threaten the freedom of the others, therefore of the vaccinated ones and by doing so they, sorry, we are, according to Mr. MACRON, irresponsible, and as such we are not citizens.

To begin this reflection, we must return to certain bases which are part of the foundations of the French constitution:

The first is that any act that we do even if it finds its basis in an article of the French Constitution, but contravenes another of these articles is unconstitutional.
In addition, the *[(French) Articles 4 et 11 de la déclaration des droits de l'Homme et du Citoyen de 1789],* established that every French person must be able to enjoy his freedom, in particular to share his ideas in any legal form.
Nevertheless, in these same articles that I have just cited, it was also established that the freedom that is that of every French citizen is limited to not doing what can harm others and which contravenes the law. Thus our words must not contravene the law.

It therefore appears that we can present our ideas in the republic without constraint, nevertheless our words cannot be defamatory towards our neighbor, because from then on we contravene the law and are punishable for it.
It is important to understand that no one in the republic can defame his neighbor without there being consequences. Here is what the French legislation has established in this matter: **"Defamation is the allegation or imputation of a fact that undermines the honor or consideration of a person.**
It does not matter whether the fact in question is true or false, but it must be precise enough to be the subject, without difficulty, of verification and contradictory debate.
It must be possible to answer yes or no to the question: "Did so and so commit the fact"? […] *There is defamation even if the allegation is made in a disguised or doubtful form, or if it is insinuated. For example, if the author uses the conditional.*
Defamation is also characterized if the allegation targets a person who is not expressly named, but identifiable (if his function is given, for example). If the accusation is not a verifiable fact, the allegation is an insult.
Public defamation: Public defamation is defamation that can be heard or read by an audience other than the perpetrator, his victim and a limited circle of individuals connected to them.
It is the case of remarks pronounced in the street, published in a newspaper or on an Internet site. Comments made on a social network can also be considered public defamation.
Depending on the locking chosen by the account holder, the comments made may be accessible to any Internet user or to a more or less restricted circle of friends.
If the remarks made are broadcast on an account accessible to all, it is public defamation. […] Public defamation is punishable by a fine of €12,000. […]". *[Diffamation – Direction de l'information légale et administrative (Premier ministre), Ministère chargé de la justice. Taken from the website: https://www.service-public.fr (translated into English from the original text)].*

Well, well, well, to you who did not make the choice of vaccination and that Mr. MACRON prevented in particular, by the "vaccinal pass" to work, be in the joy because, I have a good news for you, it offers to us all, therefore to the not vaccinated, **12,000 €!**
Yes, because it is the amount of the fine for public defamation and we saw that he held against us, publicly defamatory remarks. More seriously, we are discovering here the basics of defamation and especially public defamation and we see that the words of the French Head of State fit well with all this.

We have already seen that these statements portray the unvaccinated against covid 19 as people who, by their freedom, threaten others, making them irresponsible and disqualifying them as citizens.
These remarks are defamatory, because the law allows those who wish to do so to choose not to be vaccinated – they have the possibility of asserting their right to informed consent to refuse an experimental vaccine –.
We have also seen that vaccinated or not, we can be carriers of the virus and therefore transmit it to others.

Here again, Mr. MACRON's words are discriminatory and also contravene the freedom conferred by the French Constitution to every citizen, allowing him to make his life choices, as long as he carries them out within the framework laid down by the law. How can we accept these insulting words of the president, MACRON, against the non-vaccinated against covid 19, judged irresponsible, unworthy of being French citizens.
What is the fault they are accused of? Not to subscribe to a vaccination obligation which is supported by a law, itself infringing because it flouts the principles of the French Constitution and the supranational regulations.

Let's see now, in the following article, the requirements imposed to him by the French Constitution as Head of State: **"The President of the Republic ensures respect for the Constitution.** *He ensures, through his arbitration, the regular functioning of the public powers as well as the continuity of the State. He is the guarantor of national independence, territorial integrity and respect for treaties". [(French) Article 5 de la Constitution de la Ve République relatifs au président de la République, son mode d'élection, ses prérogatives. Titre II: Le Président de la République "à jour de la révision constitutionnelle du 23 juillet 2008" (translated into English from the original text)].*

As you can see, the privileges that are those of the Head of State also go with his responsibilities.
The Head of State is the guardian of the French Constitution, which requires him to have, at all times, a posture that can in no way contravene his office and this responsibility, and in no case can flout even a paragraph or one line of the constitution.
We are not at all in this context with the comments he made. Would we be in a state of lawlessness, where the first magistrate of the Republic can do as he pleases, coerce the people through anticonstitutional means?
This behavior "transpires" in this **"[...] We take responsibility to put the burden on the unvaccinated [...]"** claim.
These remarks which flout the constitution are serious enough, in my opinion.

Here, in such a context, has he not failed in his duties? In this case, here is what is provided for by the Constitution: **"The President of the Republic can only be dismissed in the event of a breach of his duties manifestly incompatible with the exercise of his mandate".** *[(French) Article 68 de la Constitution du 4 octobre 1958. Version en vigueur depuis le 24 février 2007 (translated into English from the original text)].*

Let's keep in mind that the President of the Republic is the one who **"ensures respect for the Constitution".** In doing so, he cannot be both a shepherd and a ravening wolf, he cannot ensure its proper application and at the same time flout the rights that the French constitution confers on citizens.
Here we are, we are done with **"this reasoning by the absurd",** a bit long, I concede, but up to the enormity of the remarks made by the French head of state. Everyone can learn from it, if they see fit.
For my part, my objective was to demonstrate that as President of the Republic, Mr. MACRON does not have all the rights, he cannot allow himself certain freedoms by stigmatizing and discriminating against part of his people, because his charge forbids it.

The health context was difficult, trying and measures had to be taken, certainly, but with respect for the Constitution (French) and without arrogating to oneself rights that are not at all consistent with the exercise of the function of a president.
To continue our study, we are now going to leave France in order to refer to History to consider what it tells about the rights of every human being not to be, in spite of himself, a guinea pig. We will also see what happens when this right is not respected.

To present this reality to you, it seemed appropriate to tell you about one of the most important judgments of this century, the one which took place in *Nuremberg* and which gave rise to a code which bears the name of this town. To do this, read this:
"The "Nuremberg Code" is an extract from the criminal judgment rendered on August 19-20, 1947 by the American Military Tribunal (acting within the framework of international provisions) in the "trial of the doctors". It is about the list of the ten criteria used by the Tribunal to assess the licit or illicit nature of the human experiments accused of the twenty-three defendants, most of whom are doctors.
This list quickly circulated independently under the name "Nuremberg Code/code de Nuremberg"; It has been read in political and medical circles as a corpus of deontological precepts and moral maxims binding on experimenters. [...]"
[Text taken from document: Pour citer : Amiel P., ""Code de Nuremberg": texte original en anglais, traductions et adaptations en français", in Des cobayes et des hommes: Expérimentation sur l'être humain et justice, Paris, Belles Lettres, 2011, appendice électronique: http://descobayesetdeshommes.fr/Docs/NurembergTrad (translated into English from the original text)].

Let's complete our study with this other text: **"[...] The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other methods or means of study. […] They were non-German nationals, including Jews and "asocial persons", both prisoners of war and civilians, who had been imprisoned and forced to submit to these tortures and barbarities without so much as a semblance of trial.**
In every single instance appearing in the record, subjects were used who did not consent to the experiments; Indeed, as to some of the experiments, it is not even contended by the defendants that the subjects occupied the status of volunteers.
In no case was the experimental subject at liberty of his own free choice to withdraw from any experiment. In many cases experiments were performed by unqualified persons; were conducted at random for no adequate scientific reason, and under revolting physical conditions. […]
Manifestly human experiments under such conditions are contrary to "the principles of the law of nations as they result from the usages established among civilized peoples, from the laws of humanity, and from the dictates of public conscience. […]"
[Text taken from document: Pour citer : Amiel P., ""Code de Nuremberg": texte original en anglais, traductions et adaptations en français", in Des cobayes et des hommes: expérimentation sur l'être humain et justice, Paris, Belles Lettres, 2011, appendice électronique: http://descobayesetdeshommes.fr/Docs/NurembergTrad. (translated into English from the original text)].

Here, I have only taken up two of the ten criteria of the "Nuremberg Code", not because the others are not important, but because they are the ones that particularly concern us for our study. In addition, some are already taken up and explored in the more current "Declaration of Helsinki", which, in my opinion, is better able to defend the rights of those not vaccinated against covid 19.

This is why it is the central axis of my argument.

Now that this point has been made, let's get to the heart of the matter, but first, I prefer to anticipate any outcry, any protests, that would arise against this parallel made between the **Nuremberg Code** and the **vaccines against covid 19.** I would like to point out that I am not comparing the two situations, which are in no way identical.
To emphasize this, I note this context:

> **"In many cases experiments were performed by unqualified persons; were conducted at random for no adequate scientific reason, and under revolting physical conditions."**

It is certain that we are not in such a situation with the vaccines against covid 19, however, I want to alert and above all highlight certain points that have caught my attention.

> One of the safeguards against such acts is the obligation to require informed consent from any person participating in medical research (an experimental vaccine is one of them).
> *In the* "Nuremberg Code", it refers to any person who is placed in an oppressive situation **(the loss of his job, for example, in the case of our study)** which forces him to participate in clinical research **(the experimental vaccine against covid 19),** where he cannot *"[...] Free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion [...]".*
> This seems to fit perfectly with the mandatory vaccination against covid 19.

We discover in the **"Nuremberg Code"** that these doctors and other Nazi accomplices were convinced that they were working, through their research, for the good of humanity. This comes out very clearly in their defense arguments.
They argue that their experiments were intended to produce **"[…] results for the good of "society" that are unprocurable by other methods or means of study. […]".** (*Large-scale clinical trials against covid 19 are part of it*).

Doesn't what we have just read remind you of anything? Yes, the compulsory vaccination against covid 19! To a lesser extent, of course, but nevertheless, we find some similarities. It is by considering the benefit/risk ratio of vaccines against covid 19 that the French State and other nations have instituted compulsory vaccination.
These vaccines against covid 19, being supposed to produce a positive effect in the context of this pandemic, and this, for the good of the greatest number. Although at the base such a motivation seems relevant, let us not forget that these products were still in the **"clinical trial** (research phase)" phase during the period when the "sanitary and vaccinaL pass" had decreed the compulsory vaccination against covid 19 for the French under penalty of not being able to enjoy their leisure activities or work in certain sectors.

> It is with a view to protecting human beings so that they do not become, in spite of themselves, guinea pigs that the "Nuremberg Code" and then the "Declaration of Helsinki" were instituted.

It is unthinkable that we could relive today, a trial such as that of Nuremberg, however we must be vigilant so as not to find ourselves on "a slippery slope" which would open "the skylight". The obligation to vaccinate against covid 19 with all the loopholes that the law contains, as we have seen, all the inconsistencies that it generates, appeared for some socio-professionals, as the exercise of pure constraint, of the power in place whose watchword seems to be:

> **"Obey! The consequences, we will see later".**

There can be no overall support in such a context. Are we really in a Republic?

> One could, for a moment, think that we have returned to that time when no one could stand up to the feudal power that once prevailed! This reality is truly evident when, arguing the number of French people vaccinated against covid 19, therefore the majority, the government announces that it has chosen **"[...] We take responsibility to put the burden on the unvaccinated [...]".**

Are you aware of what is being presented here and the scope of such remarks?
Let's meet those who are stigmatized, those described as irresponsible by Mr. MACRON and who according to him deserve to lose their status as citizens!**For what serious fault?**

That of having chosen in their soul and conscience not to be vaccinated against covid 19, what's more, with a vaccine at the experimental stage.

We could imagine the scene of the small Gallic village of a famous “comic strip”, where the inhabitants fight for their rights, in all legitimacy. However, they are chased away because they are considered a danger to the rest of the population.
In reality, who is this minority, in mainland France, majority in other regions, notably those overseas? Extremists, anarchists whose goal is to fight against the Republic by burning cars and damaging other people's property?
Are they classified in the category of thugs and anti-socials? Is this a small, shadowy cell that acted like terrorists in order to strike the “good” French vaccinated against covid 19 who, for their part, obeyed the motherland?
Which would make them dangers to the Republic! Furthermore, how many of these “diehards” are there, **100, 1,000, 10,000?** Hmm... wait, let's not look any further, Mr. Jean CASTEX gives us the answer, it is **6 million French people** who, at that given moment, chose in their soul and conscience not to be vaccinated.
Among them were my parents, who were **76 and 79 years** old, people well integrated into society, kind and helpful grandpas and grandmas who are examples of integrity, subject to the rules of society.
However, for having chosen to walk according to their conviction, by not opting for the vaccination against covid 19, these 6 million French people were discriminated against and presented as a scourge on society.
It is true that often, some major media outlets that armed themselves with the “cream (gratin)” of “right-thinking” people, tended to portray those not vaccinated against covid 19, the majority in the Antilles/Guyana (Guadeloupe, Martinique, Guyana) as insane people who were endangering the lives of others.
For the record or for information, on February 2, 2022, we were less than 50% of the inhabitants of each of these three French overseas departments not to be vaccinated against covid 19.
Nevertheless, I want to assure you, you “right-thinking” people who think this way, that this is not the case!

So that you can better understand our reality, I will tell you a little about us. The insurrection situation in the overseas departments, linked in particular to the refusal of the compulsory vaccination against covid 19 for certain trades, was widely reported by the national media at the end of 2021.
Shops were looted, cars burned, roadblocks set up to obstruct traffic. Small thugs had set themselves up as a militia and were extorting money from motorists at roundabouts, etc. Seen from this angle, things are dramatic and anarchic.
Nevertheless, it is important to look beyond appearances, because these facts were acts of individuals who were not seeking to defend their rights, but to violate those of others.

However, the root of the problem came from the compulsory vaccination against covid 19 introduced by the French government and which remained, as we have seen, for certain professions, those in the medical sector and similar.
Here are people who, having chosen professions in the service of others, very often by vocation, found themselves **“from one day to the next” deprived of their jobs, banished, as the worst criminals would be.**

What they were criticized for was not being vaccinated. It is true that given the extent of the damage and the number of deaths that covid 19 has already caused, one could think that not getting vaccinated is an antisocial act and that those who act in this way are selfish, some even called us “navel-gazers”.
Before getting lost in judgments, I remind you that here, in the Antilles, just like in mainland France, among those not vaccinated against covid 19, there are doctors, nurses, firefighters, or even those who like me work in the world of events, entertainment or even in the world of leisure, in restaurants, bars, etc.

As you can see, at no time can these people be petty delinquents, unsavory people who have no respect for society.
There was even a time, at the beginning of the pandemic, some of these unvaccinated against covid 19 were applauded every evening, like **"Heroes".**

Indeed, it is important not to lose sight of the fact that it is these same people, particularly healthcare workers, who are so criticized because they chose not to be vaccinated against Covid-19, who saved a large number of lives, even though they did not even have the necessary protective equipment.
Let's see what the French Prime Minister, Mr. CASTEX, said about it: **"For almost 2 years, our caregivers have been fighting foot by foot against the virus, against these successive waves and this feeling of an endless fight.**
They are our heroes, and we owe them a lot. First, we owe them our gratitude for their commitment during the holidays, as they will continue to be tirelessly on deck."
[Service Communication, Hôtel de Matignon, le 17 décembre 2021. Déclaration de M. Jean CASTEX, Premier ministre. Mesures de lutte contre la COVID-19 (translated into English from the original text)].

The French Prime Minister who stigmatized the unvaccinated against covid 19, which also includes a part of this section of society that are our caregivers, however, he cannot help but congratulate them here for the excellent work they are doing.
However, we have been able to measure the considerable impact of the obligation to vaccinate against covid 19 on those who are subject to it, *forced leave, suspension, unemployment in the long term* and possible retraining. Incredible!
A whole life turned upside down with the consequences that this implies.

Thus, I am surprised at the type of **"laurel crown"** that France offers to **"these great fighters and heroes to whom we owe so much"!**
During the time of the Roman Empire, it was gold, social position and/or political fame that rewarded conquerors who won great victories for the empire. Conversely, in this generation in France, it seems that the trend is quite different. Indeed, it is scarcity (dearth) and unemployment that the government offers as a reward.
It is therefore this crown for service rendered, which gratifies those who **"go to war",** to defend us against covid 19, at the risk of their lives.
All this, because the objective of the French government is to put pressure on the unvaccinated, no matter how badly they suffer.

And yet, I repeat, the vaccines against covid 19 are experimental products that as such cannot be imposed against an individual's will. *Alas!*
It is because of these vaccines against covid 19, in the research phase, that our caregivers, etc. were unable to work for months, and now that the covid 19 vaccinal requirement has been lifted, or rather should I say suspended, they can certainly return to their posts, but at what price?
No compensation is offered to them and the long months they were suspended are not taken into account for the seniority of their careers.

I would now like to return to the pseudo "experts" who came on TV sets to discriminate against those not vaccinated against covid 19 and make us look stupid or insane.
I will now present to you some of the reasons why many are reluctant to get vaccinated against covid 19. Covid 19 vaccines are, needless to say, at the experimental stage.

Therefore, even if they have health benefits because, according to the figures given, they prevent the development of serious forms in those who are infected, there are still gray areas regarding the negative repercussions of these products in the medium and long term.

Which is easily understandable, since these are experimental products that have not yet revealed all of the effects they generate.

> Can you imagine the long struggle that the victims of these medications and/or their families had to go through, for those who unfortunately succumbed, in order to get justice for them? Of course, you will say that you don't understand since this was not reserved for the West Indies, as mainland France was just as affected.
> This is true, but in addition to these medication scandals, there are others, very specific this time. Indeed, in terms of health, we have already had to pay a heavy price, in which we are still mired.
> This reality of a product harmful to health, authorized for decades by France, we know it well in the French West Indies because it had the effect of poisoning its population, particularly that of Guadeloupe and Martinique, you will have Understood, it's **chlordecone.**
> This pesticide which was still authorized by exemption in these regions, whereas it was prohibited in France Hexagonale, as well as everywhere else, spread in the water tables, contaminating the drinking water. The result is that many cancers, particularly of the breast and prostate, have developed among these populations.
> Today, only prostate cancer has been recognized as a disease resulting from prolonged exposure to chlordecone with compensation provided only for men who have worked in the banana fields.

Thus, many metropolitan French people do not understand the reluctance of the West Indians to be vaccinated against covid 19, but they have not been poisoned, with impunity, for decades by their mother country. Today, there is no mention of the care that would be put in place in the event of serious effects that would be scientifically recognized, following the vaccination against covid 19.
We rather hear “It is not scientifically proven”, even when patients describe symptoms that appeared following the vaccination against covid 19. For example, in the event of cancer that would develop following the vaccination against covid 19, what would be the compensation etc.? This question may seem mercantile, but how many people today find themselves completely helpless following chlordecone poisoning, with no hope of care.

How, when we have not yet emerged from this chlordecone scandal, because of these exemptions from France, responsible for our poisoning, can we still trust an oppressive and discriminatory government, which stigmatizes those not vaccinated against covid 19?

Some will probably say that this is irrelevant and that we are “mixing genres” but can we dissociate these two contexts when the end result is the same, the possible impacts on our health, not yet measured?
This, especially since the management of the health crisis, by Mr. Emmanuel MACRON, is presented in the following text as having been built on lies:
“Mr. Stéphane Ravier. Mr. Chairman, my question is for the Prime Minister. **Life goes on. There is no reason, other than for vulnerable populations, to change our outing habits”. This sentence is a month old, almost to the day.**
It is from the President of the Republic, Emmanuel Macron, about the Covid-19 crisis. In one sentence, here is summed up all the unpreparedness and incompetence of the State, but it is not a surprise. Since then, our compatriots have discovered and suffered the litany of your lies, because you lied, and you knew!
You knew, since January 11, when Agnès Buzyn warned the President of the Republic and your entire government.
You knew, and you chose to lie.
You lied, and French people died. On February 18, the Minister of Health, Olivier Véran, declared that France was ready. On February 26, Jérôme Salomon, Director General of Health, stated that there was no shortage of masks. On March 20, it was Laurent Nunez who refused to acknowledge the lack of masks.

But then, why did Jérôme Salomon say, in private, four days earlier:
"Stocks of masks are limited and we are looking for them everywhere". *Why, on April 5, did Christophe Castaner call on the French to give their masks to hospitals?* **On March 13, Mr. Prime Minister, you yourself stated that wearing a mask was useless.**
The reality is that you lied about the masks to buy time, knowing full well that the strategic stocks had disappeared years ago and that France no longer had any.
Consequence: Today, the prefect of the Grand Est region is requisitioning the 6 million masks intended for the health care personnel of the Bouches-du-Rhône and you are requisitioning the 4 million masks ordered by the Bourgogne-Franche-Comté region.
This is turning into anarchy. You have even succeeded in shattering national unity.
Unable to foresee, you are unable to protect the population. If French people are in intensive care, whether the sinister police prefect of Paris likes it or not, it is because your government did not know, could not or would not protect them!
You are responsible for all these tragedies. And perhaps you will be found guilty of this tomorrow.
Here is my question: do you think, Mr. Prime Minister, that your successive lies fall under the jurisdiction of the Court of Justice of the Republic? [...]"
[Stratégie en matière de port de masques de protection 15e législature. Question d'actualité au gouvernement n° 1256G de M. Stéphane Ravier (Bouches-du-Rhône – NI). publiée dans le JO Sénat du 09/04/2020. Taken from the website: http://www.senat.fr (translated into English from the original text)].

First of all, it is important to note that these remarks are not "fake news" that would circulate like "free neutrons" but on the contrary serious reflections and questions from the Senate (French) website.

> Here we rediscover or discover the behind the scenes of the management of the health crisis.

Probably caught off guard by this unprecedented health crisis, the French government preferred to distort the truth. We saw that Mr. MACRON allowed himself to stigmatize those not vaccinated against covid 19 by presenting them as "irresponsible" threatening the freedom of others and becoming unworthy of being "French citizens".
For his part, as a "responsible" man, while the pandemic was raging, he called on the French to continue to live normally.

How then, given everything that the media have broadcast or that this text recounts, can we feel safe, when our senior leaders working in the highest echelons of the State have made announcements with serious consequences without really mastering their subject.
Is it not legitimate not to feel safe and to refuse to be injected with a new substance, the contraindications of which are not yet fully known?
The Constitution gives us the right to choose in our soul and conscience to be vaccinated against covid 19 or not.

We therefore have the intelligence to exercise this right which is ours, just as it is yours, our detractors, to want to be vaccinated against covid 19.
I also noted in the speech by Prime Minister Mr. Jean CASTEX which caused so much ink to flow, this small but powerful sentence:

> **"Only the pronouncement is authentic".**
> Thus, what he declared, he recorded it, and **"he persists and he signs".**

What is being claimed here is the deliberate choice of the French government of Mr. MACRON's first five-year term to force as many French people as possible to get vaccinated against covid 19 by using the "martinet of iniquity" that was the "vaccinal pass" to strike down anyone who balked.

We will not review all the members of the French government of Mr. MACRON's first five-year term, but I cannot end this chapter without talking about the Minister of Solidarity and Health, Mr. Olivier VÉRAN, particularly his condescending attitude during a session at the National Assembly to debate the “vaccinal pass”.

In front of my television, I was both admiring and stunned.
Admiring the fight led by some of our deputies, here it was those of the opposition who sought to make the cries of the French people heard. Mr. Véran was asked some very pertinent questions to obtain clarification:

> These included the relevance of vaccinating children, the possible risks that are potentially dangerous for this young audience, especially since the negative repercussions have not yet been controlled, statistics on serious forms resulting in deaths, etc.

Totally legitimate questions that many parents ask themselves.
I also told you that I was stunned. Yes, this state of stupor comes from the fact that this minister, faced with all these questions, remained stoic and did not deign to answer any of them.

> The image that came to me that day, when I looked at Mr. Olivier Véran, was that of a feline entering a chicken coop, where it knows it will encounter no resistance, because no one has the power to defeat it. What followed reinforced this reality, because all the amendments from the opposition deputies were rejected.
> However, they were intended to qualify this draft law on vaccination against covid 19 by providing answers to the legitimate concerns of the French, with regard to vaccination against the coronavirus.
> Faced with this disconcerting attitude of the Minister of Health, we can only draw one conclusion, that of manifest contempt for proposals that are not from his camp.
> The obvious objective is to to submit (to lower), oops Sorry, to “piss off” all those who do not bend to the “Macronian” discipline.

So, at the time when these unspeakable words were pronounced by Mr. MACRON, **“completely piss off the unvaccinated until the end”,** the millions of French people who at the time were not vaccinated against covid 19, and we have already seen that they were not thugs, were apparently, for Mr. MACRON and his majority, nothing other than sub-humans.
Let us not forget, according to them, we are “irresponsible” and as such, we deserve to be stripped of our status as “citizens”. Here, in the context of the covid 19 pandemic, the constraint was exercised through the “vaccinal pass”, but this desire to constrain, we can transpose it to other areas.

This is a reality that I experience as a Sabbath-keeper, who sees his rights flouted by Catholic decrees instituted in French legislation. And yet, France is supposed to be a republic not subject to religious laws.
I have experienced this and have often come up against this contradiction. How can we understand the allegiance given to the Pope by the various presidents when there is a separation between Church and State.

My painful experience gave rise to the chapters entitled **“Historical and legislative reality of the unconstitutional character of the Sunday laws”** and **“Reality of the unconstitutional nature of the Bailly report, an essential support governing the French Sunday laws”,** as an outlet in which I report on this Republic, several of whose laws are religious laws, stigmatizing and **“stripping”** minorities who do not revere Catholic dogma.
My historical research has allowed me to note that:

> The iniquitous Sunday decrees of the Catholic Church, which were instituted at the cost of the dispossession, torture and death on the infamous stake of a myriad of Jewish and Protestant Christian martyrs, continue to have their longevity among the French people.

To continue, I would say that generally, what characterizes us and makes known who we are, are not so much the good or beautiful words that we pronounce, but the actions that we perform in reality.

With this reality in mind, with regard to the literal reality of the vaccinal laws against covid 19 and their impact on all or part of French citizens, let us look at what Mr. Emmanuel MACRON advocates and what he has practiced and still practices, a contrario.

To illustrate this state of affairs, I will take as an example the steps that I took to make my voice heard after my rights were violated by this tax official. You will thus see the gulf that exists between the words and actions of Mr. Emmanuel MACRON. Let us now get to the heart of the matter.

I did not remain inactive while Mr. GUILGAULT, "skinned" me alive, – I have already reported the frivolous behavior of this agent in charge of processing my file – because I have, among others, sent emails to Mr. MACRON, President of the Republic.
Following my emails, I received response letters from various Ministers and the Prefect of Martinique.
You will find more details in the chapters entitled **"Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE"** and **"New evidence on the responsibility of the civil servant Mr. Jérôme FOURNEL, as Director General of Public Finances, in the alleged external illegality".**

What struck me most in this affair is how great is the void that separates the words of the President of the Republic from his actions.
Let us reread part of what he promised me:

> **"Sir, The President of the Republic has received the mail that you wished to send him.**
> **Sensitive to the concerns you express and attentive to your personal situation, the Head of State has entrusted me with the task of assuring you that it has been taken note of.**
> *Mr. Emmanuel MACRON is fully aware of the difficulties faced by his fellow citizens as well as the economic, social and psychological consequences caused by this unprecedented health crisis we have to face. […]"*

In this book I demonstrate to you, with legal and legislative texts to support it, that this tax agent whom I have cited many times, has exceeded his prerogatives as a civil servant, I therefore appeal to the highest authority of the nation, the head of state, who informs me that he is **"Sensitive to the concerns that I have expressed to him and that he is attentive to my personal situation"**, yet these words are not followed by concrete actions.

Do you realize that I asked for help from Mr. MACRON, **"President of the French Republic"** more than three years ago and to this day, apart from returns acknowledging receipt of my letters and saying that my requests would be forwarded to the appropriate authorities, no follow-up has been given, leaving me to **"stew in my suffering juices"!**

> How can one, as President of the Republic, promise to help a person who is in great difficulty, in the most complete destitution, and let him fall?

But first, let's reconsider the President's speech delivered just after his re-election: *"I know that you have spared no effort, given so much energy, shared so many convictions.*

It is by striking at the heart that the truth comes. Thank you. I know what I owe you. THANKS! […] My dear compatriots, my dear friends.
Today you have chosen a humanist project, ambitious for the independence of our country, for our Europe, a republican project in its values, a social and ecological project, a project based on work and creation, a project to liberate our academic, cultural and entrepreneurial forces.
I want to carry this project with force in the years to come, by also being the repository of the divisions that have been expressed, and of the differences, **and by ensuring respect for everyone every day, and continuing to work for a more just society […]**
We will also need, my friends, to be benevolent and respectful, *because our country is steeped in so many doubts, so many divisions. So we will have to be strong.* **But no one will be left by the wayside.**
It will be up to us together to work for this unity by which alone we will be able to live happier in France and meet the challenges that await us, the years to come will certainly not be peaceful. *But they will be historic!*
And, together, we will have to write them for our generations. **My dear compatriots, it is with ambition and benevolence for our country, for all of us, that I want to be able to tackle the next five years by your side. This new era will not be the continuity of the quinquennium which is ending.**
But the collective invention of a new method for five better years, in the service of our country and our youth. Each of us will have a responsibility in this. Each of us will have to commit to it. For each of us counts more than himself.
This is what makes the French people this singular force that I love so deeply, so intensely, and that I am so proud to serve again. Long live the Republic! And long live France!"
[Déclaration d'Emmanuel Macron du 25.04.22. Taken from the website: https://avecvous.fr/publications/declaration-emmanuel-macron (translated into English from the original text)].

We have just discovered part of the speech that Mr. Emmanuel MACRON gave under the Eiffel Tower on April 25, 2022, following the announcement of his victory in the presidential elections.

> Hearing the president's words, I was filled with such a strong surge of love and solidarity that, for want of anything better, I hugged my pillow to the point where it exploded, filling my room with feathers. This emotion lasted for several days, because these words touched my soul... yes... I know more than ever that this man has the gift of the gab, and that all of us, the French people who listen to him, are his raven and our cheese that he seeks to steal is our freedom.
> There is no doubt that the supporters of **"Macronism"** will shout to me that their leader has **"sworn to his great "gods""**, that a change has taken place in him and that the new five-year term will be different from the first.
> In return, to them, I would say that I sympathize with the spirit of blindness that our president can instill when acting on some.

In all things, it is important to never forget that in life, what determines who we are is not only our words, but above all our actions.
To compare what our newly re-elected president is proclaiming here with what he practices in reality, I would like to return now to the last email that I sent him and that he received on June 7, 2022, a few days after his re-election and after his sermon, *Oops... Sorry...* after his great speech, from which we have just read an excerpt.
You will find an excerpt of this email in the chapter entitled **"Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE".** In this email, I invited Mr. MACRON and his team to come and download my book. Thanks to the unique access code set up for this purpose, I was able to see that they had visited my site.

In this email, one of the points presented is the “illegal” nature of the vaccinal laws against covid 19, with the legal and legislative texts supporting my argument, this did not catch Mr. MACRON's attention.
In addition, through this email that I sent him on June 7, 2024, Mr. MACRION and his government learned of my testimony presenting the unspeakable behavior of this official in the processing of my solidarity fund application files, but nothing was done, this tends to demonstrate that the words of a small business owner who lost everything because of these covid 19 vaccination laws and the incompetence of this official do not move them.

To continue, I would say to you that, after recalling the inglorious behavior of the President of the Republic and the members of his government during the first five-year term, with regard to the reality of the vaccination laws against Covid-19, which, let us recall if need be, contravene the French constitution, we see that for this second presidential term, in this area, inertia is still the order of the day.

“Nothing new under the sun.”

Thus, I did receive acknowledgements of receipt from various Ministers and the Prefect of Martinique for the emails sent to the President of the Republic, but no concrete action followed.
Unfortunately, I was naive enough to believe that these responses received were not simple acknowledgements of receipt but that they really took my situation into account. However, it was indeed a play of light and shadow.

> What is this reality? When we stand under the sun, there is generally our shadow that becomes visible, except in rare cases, especially at noon, when the shadow disappears.

Why this image? You will understand, it can be applied to what I experienced. Thus, my previously mentioned email, addressed on June 7, 2022 to the President of the Republic, was forwarded as announced, to the appropriate person with a response from each of the recipients making me hope for a favorable outcome.
In doing so, there is the shadow proving that a reality does indeed exist. However, more than three years later, no feedback, no shadow, no tangible reality.
It is therefore a clear total disregard from Mr. MACRON and his government for the situation that I brought to their attention.

So, when I hear in his speech, following the announcement of his victory in the presidential elections **“no one will be left by the wayside”,** I still wonder what exactly he is talking about, because he remained insensitive to my situation of great precariousness following very specific facts that I denounced, with supporting documents.
How then should we interpret these words **“benevolent and respectful”** pronounced by the candidate MACRON who has just been re-elected?

It should also be noted that our president, recently re-elected, says he loves us, the citizens, **“deeply”** and **“intensely”,** and claims to be **“proud to serve us again”** and he presents himself as a man of light, since he declares that **“It is by striking at the heart that the truth comes”.**

> However, while he gives the world the face of a person who cherishes the truth, his actions demonstrate quite the opposite.

We now know that Mr. MACRON and his government are fully aware of the unconstitutional nature of the covid 19 vaccinal laws, and of the fact that it is in the most glaring inequality that our caregivers have been deprived of work and income, but the suffering of the people does not matter to them.
To continue, I would say that it is important that you are fully aware that Mr. Emmanuel Macron and his supporters do not care about the **“little people” and our suffering.**

This reality is clearly evident in the debates on the high cost of living in Martinique, where I was confronted with a paradox. On the one hand, I was touched by this desire of everyone to work towards finding solutions, but on the other hand, the major player in this price reform, which is the French State, does not seem to care about us.
During this round table, no minister, from overseas, the economy or others, deigned to come and sit directly at the negotiating table. During this time, the prefect, who was at the negotiating table, having no authority to decide for the State, being overwhelmed, he had to call in the CRS 8, perceived as oppression.

When Mr. Jean Noël BUFFET, the “overseas minister” of this period, finally deigned to visit us in Martinique, during his interview on the television news, held on the airwaves of Martinique la première on November 12, 2024, it was, for me, disappointing. He brought in his bag a **20% reduction on 6000 everyday consumer products.**
Which still leaves us in a situation of great crisis in terms of our finances and acknowledges that the overseas territories do not have the same rights and do not enjoy the same consideration in the eyes of Mr. MACRON and his government.

> The **6 million euros** of aid that will be released for Martinique as part of territorial continuity, which will be devoted to the transport of goods (approach costs), that the Ministry of Overseas Territories presents with condescension, will not deny this reality. We must not lose sight of the fact that for these same reasons and in this same framework, the French State has granted more than **230 million euros** to Corsica.

To understand the true scope of this masquerade that Mr. Jean Noël BUFFET presented to us, let us recall that on **January 1, 2024, Corsica has 355,528 inhabitants and Martinique 349,925 inhabitants.** Thus, to within a few thousand inhabitants, these two French departments are in the same demographics.
On the other hand, let us not forget that this aid provided to Martinique must be duplicated to all the overseas departments and territories, which for the same period of January 1, 2024 had **2.7 million inhabitants.**
Now that these bases are established, let us do a quick calculation:

> **There are 12 overseas departments and territories,** which will most likely also receive **6 million euros** in aid, similar to what will be released for Martinique as part of territorial continuity. This therefore represents **72 million euros. Thus, the 355,528 inhabitants of Corsica will receive an amount of aid 3 times higher than the 2.7 million inhabitants of the overseas departments and territories.**

All this shows us that since it is in the hands of the State that the purse of finances is located, which can reduce or increase aid intended for the Antilles, Mr. Jean Noël BUFFET, Minister of the “colonies”, has therefore come to scorn us and to firmly establish the domination of Macronism over the overseas departments (French).

Here again, we have discovered the true face of Mr. MACRON, but fortunately the wind is turning, he no longer has the proud allure of the conqueror on his white steed, because his beast of Gévaudant, *[(French) Article 49-3 de la Constitution],* has turned against him and has swallowed up, body and soul, his government with at its head its “herald” who was not heroic, his Prime Minister Michel Barnier.
It is important that you, who are reading me, can realize that we must ensure that Mr. MACRON faces his responsibilities. To do this, I bring you the foundations of a simple plan, in the part entitled **“The titanic fight between the clay pot and the iron pot, David and Goliath version”.**

Now this point noted, you who have become aware of the importance of these battles being waged, you must lend a helping hand so that the Sunday and vaccinal laws against covid 19 are repealed so that those who have been impacted by them can be compensated.

In a practical way, like a hot, red ember that must set alight a bag of coal, those who find my approach and my fight relevant must make this book known.
You must therefore take matters into your own hands, to do this, I invite you to share this book with as many people as possible, in its English and French versions, in order to raise awareness among a majority of people of the realities described therein and thus light the fire of change in them.
Both versions of this book, the English and French versions, can be downloaded from my website, the contact details of which are given at the end of this book. Like autumn leaves blown away by the wind, share them by all means:

By email, Facebook, WhatsApp, Instagram, Tik Tok, etc.

Make sure to reach the media in your country by all possible means. In addition, if you are a public or well-known person, talk about this book on the media, no matter what country you live in. This is how the greatest number on the face of the earth will know the truth and will be able to take a stand, so that things can change.
Now that this point has been made, we must look at a phenomenon that is taking place, one of the most saddening, in my opinion. It is the fact that caregivers who have not been vaccinated against covid 19, ostracized from society for many months, now that they can return to their posts, are being attacked by the mass of “right-thinking”, who are vaccinated. One could say, all that for that?

These rifts (this division) have only one cause, a mandatory vaccination against covid 19 that should never have been because it was covered by a law that was itself unconstitutional.
So whose fault is it? Caregivers who in their souls and consciences chose not to subscribe to a vaccination in which they had no guarantee and, in view of the principles contained in the “Declaration of Helsinki”, they were within their rights?
A government that instituted a law that flouts supranational regulations? When I take a step back, I am astounded by the reality of what is happening right now in France.

Could we be back in Sherwood Forest, where Prince John plays the good guy while Robin Hood and his merry men pretend to be the bad guys.

With these covid 19 vaccinal laws instituted without a legal legislative basis to support them and which have been the cause of enormous constraints sometimes with irreversible effects on some, how can we be targeting the wrong people today? How can we stigmatize caregivers who were so applauded yesterday?

Are you conscious of what is happening?

The illegal nature of the vaccinal laws against covid 19 has been widely demonstrated and supported by legal and regulatory texts in my file filed with the administrative court and transmitted among others to the power in place (the French state). This reality is therefore not unknown to them and yet! Those at the origin of this law which suspends the covid 19 vaccination obligation for caregivers, the president in the front line, are today considered to have shown leniency towards caregivers.

It's all smoke and mirrors!

Let's not forget that this is only a suspension of the vaccinal laws against covid 19 obligation but not a repeal. There is too much to say, the demonstrated unconstitutional nature of the covid 19 vaccinal laws, passed over in silence, swept aside with a wave of the hand, the compensation of those who have been impacted by these laws, of course, non-existent! If we must simply stop at this law which suspends the compulsory vaccinal against covid 19 for caregivers and similar, without looking at its real scope, everything seems normal and perfectly justified, in terms of employees who return to their posts.

However, by looking more closely, by lifting the veil, things are not so simple and hide a deep ignominy.

It is the power in place (the French state) which created this situation by wanting to force free men and women, the French citizens, to submit to laws, which contravene the French Republic and supranational regulations.
This reality is revolting to me, because those who have chosen to be vaccinated against covid 19 have come to demonize unvaccinated caregivers, and continue to blame them, by protesting against their reinstatement. You who stigmatize unvaccinated caregivers and want to see them remain in precariousness, without work, you are reproducing very sad mistakes of the past by supporting **"the armed wing",** that of the strongest. And why?
Quite simply because they have made different life choices than you. The situation is serious, it is inconceivable that two camps oppose each other, "the vaccinated" and the "unvaccinated" against covid 19. Let everyone in their soul and conscience make the choice they deem right, but do not let yourself be won over by this fierce hatred fueled by laws, which themselves contravene supranational laws.

Throughout these lines, I have referred to the legal texts that allowed me to develop my argument. It is time for this situation to change! Now that you have read the content of this book, you must act, no matter where you live or who you are. This fight for the rights of the unvaccinated against covid 19 and of Sabbath and Shabbat observers is not, I remind you, only that of the French people.
This book is for all those, whatever their origins, who are subject to this constraint of the vaccinal laws against covid 19 or who have seen their rights flouted by the Sunday laws.

I also sincerely believe that opposing the obligation to vaccinal against covid 19, considering the bases on which it was instituted, should not be solely the business of the unvaccinated. The same is true for all those who have suffered under the yoke of the Sunday laws. It is important for you to understand that by leading the fight on the ground of French legislation and winning, thanks to you, the other Nations, the victory, we will create an international legal precedent, which will make it possible to break, Nation after Nation, the dikes of the Sunday and vaccination laws against covid 19.
In doing so, this fight that I am leading in France is the precursor of what you will subsequently be able to put in place within your respective Nations. Let us rise up, with one voice, across the entire surface of the earth like a powerful tsunami, according to the established rules, for gatherings in our countries and very importantly, without violence, because we are not thugs but patriots, so that the Sunday and vaccinal against covid 19 laws are swept away and destroyed like straws would be by a powerful hurricane!

I therefore call on all those who love justice and freedom and who have become aware of the unfair nature of against covid 19 and Sunday laws, leading men and women into precariousness, to join me.
I would like to remind you that I am not fighting against the anti-covid 19 vaccination, or so that all French people can work on Sundays, but against the laws that force the unvaccinated to be vaccinated or to die of hunger while suffering the unthinkable, as well as against the Sunday laws that lead Sabbath and Shabbat observers, as was my case, to go from being active to being almost homeless!
It is time that we can, in unity, vaccinated and unvaccinated against covid 19, up to date or not with their booster doses, Sabbath, Shabbat or Sunday observers, let out a great cry, like a lion, intended to overthrow these unfair and oppressive vaccinal laws against covid 19 and Sunday laws that have been instituted by certain nations.

From now on, in unity and brotherhood, it would be necessary as one Man, that our voices, whatever our vaccination status, or our religion, unite to be heard so that justice is done. That the "vaccinal pass" is not only suspended, that it is repealed, the same is true for Sunday laws, this is the reason for this book. However, we must not forget all those who have been wronged, who have been forced to lose their jobs or have had to be suspended. All those who have been impacted must be compensated.

21 The titanic fight between the clay pot and the iron pot, David and Goliath version

To begin this part, I would say that what is happening right now in France, this legal tug-of-war between Mr. MACRON and me that I present in these lines, few French people are aware of it and yet, I have the deep conviction that it is a page of history that is being written, as was once the case with the titanic duel between David and Goliath.
When considering this biblical story, often the feeling is that this little stone gave victory to David, nevertheless, my vision is quite different, because for me what made him victorious is contained in what he says a little before and that we find in *[1 Samuel 17 verse 45, King James Bible]* which establishes the following: *"Then said David to the Philistine, Thou comest to me with a sword, and with a spear, and with a shield:* **but I come to thee in the name of the LORD of hosts, the God of the armies of Israel, whom thou hast defied."**

The little stone here is nothing in itself, it is the power of the Holy Spirit that directed it to the right place, which was where Goliath had no protection, at the level of his helmet, between his two eyes. This is how the frail and young David was able, under the influence of the Spirit of God, to terrace this giant war dog of the most seasoned that all feared.
Power, true power, all-powerful, belongs to the Lord, the eternal God, and to him alone. The Lord does not change, there is not even a shadow of variation in him, what he has done in the past, he will do again. It is he who brought, through his servants Moses and Aaron, the ten plagues on Egypt because of the pride of the pharaoh of the time.
It is also the Lord who warned the king of Babylon to stop his abominations, through a dream that the prophet Daniel deciphered for him, however, not having repented, he became mad, during the time that God had decided.
Throughout the centuries, the powerful of this world have always believed to be the master of their future and their secular power, but this is not the case!
In this century, as was the case for Daniel, Moses, Aaron or David, the Lord gives me to stand up for justice and truth and the monarch of the present time whom I face, the President of the French Republic, Mr. Emmanuel MACRON, is just as proud and despotic as the pharaoh whom Moses and Aaron faced, or as the king of Babylon in the time of the prophet Daniel, and he does not fear the Lord as was the case with Goliath.

I shouted at Mr. MACRON, asking him, in the email I sent him on **June 7, 2022 (see production no. 12),** to act according to justice and truth.
I presented to him the reality of the biblical text, *[Luke 14 verses 31-32],* but for his part, believing himself to be "all-powerful", he had nothing but contempt for me and let me steep in **"my juice of suffering".**
This email is reported in the section entitled **"Bases presenting the responsibility incumbent on the French State for the harm suffered by Mr. MARGUERITE".**
Unfortunately for him, the Spirit of God showed me in a dream that the "all-powerful" of Mr. MACRON is only relative in the face of the plan that the Lord has foreseen, because as President of the Republic, he will have to bend and grant me what I ask, which is none other than justice. I saw that the splendor of Mr. MACRON was like that of a titanic buffalo and a majestic leopard, which seemed, in the eyes of all, invulnerable, but that, like David, I would defeat him using the legal weapon for this.

I also saw that these two laws incriminated in this book will be broken, in the powerful name of Jesus Christ. Like the leopard, which I saw in a dream and which seemed invulnerable is, in these troubled times, Mr. Emmanuel MACRON.
To understand this, I believe it is important to remember that the President of the Republic (French) has nothing more to lose, because he cannot claim a new quinquennium and he is also exempt from having to answer, after his mandate, for the decisions and actions taken within the framework of his function, unless it is proven that he has exceeded his rights.

In doing so, he has no use for the “common people”, only the wealthy, the powerful are the object of his affection, he pampers them, cajoles them, the objective being certainly to prepare a golden parachute for himself, by ensuring that he has the right contacts, for a dream life post-presidential mandate.
In response, I would say that my objective is to neutralize and weaken Mr. MACRON and his government, through legislative texts and to highlight to all French people, the reality that we have experienced, under the yoke of the vaccinal laws against covid 19, which are nevertheless unconstitutional.

What makes this action possible and which will allow us to constrain Mr. MACRON is *[(French) Article 68 de la constitution du 4 octobre 1958 (translated into English from the original text)]* which provides:
“The President of the Republic can only be dismissed in the event of failure to fulfill his duties that is manifestly incompatible with the exercise of his mandate. *Dismissal is pronounced by Parliament constituted as the High Court.”*

Furthermore, as a complement, we must consider the text of *[(French) Conseil constitutionnel. Le Président est-il responsable ? La responsabilité du fait des actes accomplis dans l’exercice du mandat présidentiel. Taken from: https://www.conseil-constitutionnel.fr/la-constitution/le-president-est-il-responsable (translated into English from the original text)]* which establishes, among other things, the following:
“The first paragraph of Article 67 of the Constitution establishes the principle of the irresponsibility of the President of the Republic *for acts carried out in the exercise of his functions.* **However, two exceptions are provided for in the same paragraph: - the conviction of the Head of State** *by the International Criminal Court (Article 53-2 of the Constitution) in the event of crimes of genocide, crimes against humanity and war crimes or* **aggression; [...]”.**

Here, the foundations of the responsibility of Mr. MACRON, President of the French Republic are laid. This reality is due to the fact that, through his government, he enacted, in the context of the pandemic, vaccinal laws against covid-19, while not allowing the French to enjoy their right of retraction through informed conscience.
Which contravenes the “Declaration of Helsinki” and is therefore unconstitutional. To learn more about this topic, please refer to the chapter **“On the alleged internal illegality of the vaccinal laws against covid 19”.**

A situation of cause and effect, this vaccinal obligation against covid 19 resulted in the death of several vaccinated people, the deterioration of the health of many others and the bankruptcy of several of those who refused to be vaccinated and who found themselves in forced technical unemployment, as was my case.
What I have just presented establishes, in my opinion, the aggression that Mr. MACRON has shown against the French and that I would describe as **“socio-economic violence”.**

Thus, the vaccinal laws against covid 19 which established the vaccinal obligation, under penalty of forced technical unemployment for companies and restriction of individual freedoms for all French people, not having a legal or active legislative basis, are null and void. In doing so, by establishing these unconstitutional laws, Mr. MACRON and his government have forced the French, without a valid law allowing it, which contravenes the following legal texts:

- *[Guide sur l’article 7 de la Convention européenne des droits de l’homme. I. Introduction],*
- *[(French) Article 5 de la Déclaration des Droits de l'Homme et du Citoyen de 1789].*

To continue, I would say that my objective, above all, based on the legislative texts, is to highlight to all French people the reality that has been ours, under the yoke of the vaccinal laws against covid 19, which are nevertheless unconstitutional, I remind you.

I bring you today what seems to me to be the solution to be victorious against these citadels. “The powerful weapon”, without false modesty, that I propose to achieve this flamboyant victory is my case that I must present before the Bordeaux Court of Appeal and which has as its epicenter the vaccinal laws against covid-19 and the Sunday laws for which I filed a QPC intended to enable the Constitutional Council, under cover of the Council of State, to repeal them.

What opens the field of possibilities in this matter, as we have seen, is *[(French) Article 61-1 de la Constitution du 4 octobre 1958 (translated into English from the original text)]* which establishes the following: **“When, during proceedings in progress before a court, it is argued that a legislative provision infringes on the rights and freedoms guaranteed by the Constitution, the Constitutional Council may be referred to this question upon referral from the Council of State or the Court of Cassation, which shall rule within a specified period. [...]”**

This move to repeal the vaccinal laws against covid 19 will give us two possibilities for compensation:

1. 1. The first, through a peaceful mobilization of the greatest number of French people whose goal would be to force Mr. MACRON to repeal these unconstitutional laws that are referred to in this book, accompanied by damages for those who have suffered losses or deprivations. In this context, I am hopeful that Mr. MACRON may find it wiser to put in place the system to repeal these two laws incriminated in this document and ensure that compensation can be paid to those who have suffered under their yoke.
   To do this, he could call on his government to use *[(Frenchh) Article 49-3 de la Constitution],* to do the people justice, which would be a first. In fact, history has rather shown that he used it to impose laws that were unpopular in the eyes of the majority of French people or to nip in the bud those that did not go his way.
   What will happen to these? What will happen to them? It must be added that this article of law (French), commonly called the **49-3,** seems to be similar to the beast of Gévaudan that Mr. MACRON and Co. piloted, with mastery, it must be recognized. But hey... it is true that “that was before”, according to the popular expression.
   Today, “the wind has turned” and this beast has turned against his government, his Prime Minister M. Barnier and him.

2. The second solution would be for Mr. MACRON, his government and their supporters, to choose to resist the grievances presented here. Therefore, within the framework of my QPC, the objective sought, with the support and mobilization of all, is that the Constitutional Council (French) succeeds in repealing these incriminated laws and that damages are paid to the victims of said laws.
   The aim would be that once the vaccinal laws against covid 19 are repealed, the necessary procedures are put in place, including an appeal from as many people as possible so that Parliament can constitute itself as a High Court, with a view to Mr. MACRON being dismissed as President of the Republic.

Now that these bases are laid, it is important to note that with regard to the vaccinal laws against covid-19, the target is broad because it concerns all French citizens.
On the other hand, for the Sunday laws, those who are concerned are essentially the Sabbath and Shabbat observers, but also all business leaders, who cannot, if they do not have an exemption, allow their employees, who would like to, to work more than five Sundays per year. In this area, two fields could open up:

1. Once the Sunday laws are repealed, that compensation can be paid to those who have suffered, as was my case, losses because of them.

2. Once these laws are repealed, that a possibility of growth can open up to French companies, which could now, on a voluntary basis, allow their employees to work every Sunday, particularly those who have Saturday as their day of worship.

As you can see, my fight is that of all French people, however, I cannot lead it alone, because my established opponents in our Nation are powerful. In order to obtain help, I am counting on the fact that human beings are always inclined to fight for their own interests.
In doing so, for the moment this ogre that is these Sunday laws which have oppressed the observers of the Sabbath and the Shabbat for so many years, is only a news item for the majority of French people, which they discover between the cheese and the dessert, and which they forget once they leave the table.
We must therefore mobilize all French people, by drawing their attention to a possibility of compensation that could be paid to everyone, once the vaccinal laws against covid-19 are repealed.

This is how the greatest number will be able to mobilize, since they feel concerned and make Mr. MACRON bend on the points listed. With this chapter, my goal is therefore to reach out to the French people so that they mobilize en masse around my crusade, by drawing their attention to a possibility of compensation that could be paid to everyone, once the vaccinal laws against covid-19 and the Sunday laws are repealed.

Today, I need you, so that I can lead this crusade, on four fronts:

1. For the moment, I have a law firm that has been assigned to me ex officio, but time is pressing and the appeal file and the QPC that I have put together are each 120 pages long, this case will most certainly be too time-consuming to be defended in this context. In doing so, for my case to be brought to a conclusion, I would need the assistance of lawyers specializing in administrative matters and who can mobilize to achieve the repeal of these incriminated laws because I do not have the finances, in the immediate future, to mandate a lawyer to initiate this procedure.

2. The second of my needs is that all of France can hear my story and read my book as a free download, the goal being that like a hurricane, we can make my cause heard, which is also yours. Like autumn leaves carried away by the wind, share my book entitled **"Infamy of the State"** by all means:
   By email, Facebook, WhatsApp, Instagram, Tik Tok, etc.

3. My third need is to obtain logistical means in order to be able to travel around France and hold meetings, where I would present my fight and therefore my book. The objective is always to mobilize the greatest number.

4. To those who have influence, I also need your help so that the national and international media can receive me, so that my fight is known to all.
   The desired goal is that the greatest number can hear my story and read my book entitled **"Infamy of the State"** for free download so that, **like a tsunami, we can break the despotic and monarchical reign of the "self-proclaimed all-powerful sovereign", Mr. Emmanuel MACRON.**

In order to be victorious, I need as many people as possible to mobilize, because my fight concerns us all, so that justice is done for the deprivations of liberty and the losses we have suffered. Like union making strength, thank you for your attention to my request. I hope that this support (Book), which I am making available to you, will allow us to be heard by as many people as possible and to be victorious.

May we all, in collegiate unity, join my request to these individual efforts, intended to fill "the bag of our grievances" and thereby give it weight in the face of the French State, which now works on its nation like Prince John, supported by the Sheriff of Nottingham and his henchmen. Thank you for your attention to my request. I remain at your disposal.

Best greetings,

M. Kenny Ronald MARGUERITE

1.

22 Of Suffering and Ink

To begin this part, I would say that generally in life, following the experiences that I live, particularly the negative ones, I sit down and reflect and in a spirit of prayer, I seek to understand what happened to me and the reasons for what I lived or suffered. With these established bases, in the case of Mr. Vincent GUILGAULT, this unjust civil servant, I looked for avenues of reflection to explain his behavior.

> Have other people, like me, experienced these misadventures, these tribulations under his yoke? Could it be my basis of faith that poses a problem for him, because the very names of my companies demonstrate that I am a Christian, because the first is called Éditions Dieu t'aime sas (EDT SAS) which means in english Edition God loves you and the second has the trade name Éditions Galaad.
>
> So, is this gentleman anti-Christian? Or is he a fanatical follower of the Catholic Church and is he aware of my books which denounce the abominable acts as well as the transgressions of the word of God which are behind this religion?
>
> To discover these realities, I invite you to read my books entitled **"Inquisitiô (The three angels' message), volume II The reality of the attack of the little horn of Daniel 7 against the Law of God and the times of prophecy. Historical part"** and **"Inquisitiô (The three angels' message), tome III. The reality of the attack of the little horn of Daniel 7 against the Law of God and the times of prophecy. Prophetic part".**

To continue, I would tell you that to this day I am fighting like a lion so that my cause is heard. In doing so, when I realized that the President of the Republic, Mr. MACRON and his government would not provide me with any concrete help, not wanting to give up and with a view to diversifying the potential possibilities of support, I therefore undertook to make my situation known to elected officials.
To do this, I wrote an open letter that I sent on August 10, 2021 to all French senators and deputies, on their messaging services available on the websites of the Senate and the National Assembly.

Unfortunately, no one intervened. Perhaps I was naive in hoping for a response? I also sent an email to the president of the territorial community of Martinique on the same date (August 10, 2021), from this side, ditto, no response.
No one wanted to hear me at the level of the State and other political bodies, in doing so, on this day, December 18, 2024, I find myself in a more critical situation than a homeless person. Has Mr. GUILGAULT's plan finally been achieved?

> Do you realize that I asked for help from the representatives of the people, our deputies and our senators, more than three years ago and no follow-up was given, leaving me **"macerate in my juice of suffering".**

That the upper echelons of the State do not deign to hear my cry is one thing, but that the representatives of the people, the elected officials who are supposed to represent us, do the same, that devastates me. What analysis can be drawn from what is happening to me?
How can we understand that no one has reacted, even by trying to inquire about my situation to know if what I am reporting is reality, especially since I have provided proof of what I am saying?

> Nothing "abnormal" a priori about all this! A business leader can be prevented from working by the State, among other things because of the vaccinal laws against covid 19, therefore hindered in spite of himself and be broken, spolied by a civil servant, without anyone feeling concerned.
>
> It is true that we know the administrative slowness but when I find myself with less than the minimum vital to live, does my case not deserve at least a verification of my statements?

To continue, I would say that the crowning glory of this affair is that this official whose name I have mentioned so many times, managed to bring a business leader who had two businesses that were beginning to prosper, to find himself in a worse financial situation than that of homeless people (SDF).
Here is an image that comes to mind when considering my situation:

> I find myself like a man who was shipwrecked on a desert island with only a crate of canned goods for a living. On this island, there is no way to open these cans that do not have an easy opening. You can hit them with stones, but it only deforms them but does not open them because these cans are made of reinforced steel.
> So, while there is a small fresh water point nearby, a cargo of canned goods that would have allowed him to live for months, here he is fainting, and on the verge of dying the most atrocious death, of hunger, on a load of canned goods.

This image represents well what I am experiencing because, on the one hand I have two companies, but I wasn't able to work there for months, because I am not vaccinated and the vaccinal laws against covid 19 forbade me to do so, while they themselves contravene the constitution.
On the other hand, this aid which could have allowed me to keep my head above water was no longer paid to me, because of the approximate handling of my file by this tax official. I have been living in great suffering for months!
Nevertheless, on this day, I realize that the ways of heaven are inscrutable and that the Lord guides us on the most incomprehensible paths so that we can work in his name.
When I took up the pen to write this book, my primary objective was simply to make my voice heard so that the blatant injustice of which I am a victim, under the yoke of Mr. GUILGAULT, would cease. To do this, I took several steps, I had, among other things, good hope of being heard by the President of the Republic, a deputy, a senator, the prefect of MARTINIQUE, a local elected official, etc. finally someone, but here it is, more than three years later none of them have moved.

> I have already presented to you all the steps that I have put in place.

So, as already presented, at that time, things had become so difficult that I also intellectualized that from now on I was part of the “disadvantaged”, by submitting, at the beginning of February 2022, an application for aid to the CCAS of my city of residence.
My words are in no way pejorative, they simply come from the fact that it is generally those who are in great precariousness who approach this organization.
In response, I was granted aid of 200 euros, 100 of which were paid in February 2022 and the rest in March. This approach that I undertook at the CCAS left two feelings in me:

> The first is the need to ensure that justice is done to me and that the unspeakable acts of this tax official, making me go from the state of business leader to that of begging, are known by as many people as possible.
> The second feeling that drives me towards this approach is gratitude, because seeing myself reduced to such a condition which is certainly very difficult, but that the Lord opened this door to me, allowing me to have this help from the CCAS filled me with joy.
> I am grateful to those who are part of the committee for the allocation of this aid within the Lamentin Town Hall (MARTINIQUE). May the Lord bless and protect you all, as well as your loved ones.
> It is comforting for me to know that these structures are listening to the needs of the little people. Yes, I still have not “digested” the non-return of the senators, the deputies or the president of the CTM, while I am in this great precariousness.
> I am aware that I am not the only one in this situation, but even just a response to show that our fate does not leave our elected representatives in complete indifference would have made all the difference.
> Did France need a new poor person, did it need a new person on welfare, living on minimum social benefits?

> Where is France going, if from now on the iniquitous (malicious), the powerful, can oppress, with complete impunity, the little people?!

So, having found myself alone with my pain, with no one to help me, I had to do what the Lord gives me to do best, dissect texts to extract the substantive marrow. It is with a pen of suffering that I do it.
The end result is that the primary reason for which I undertook to write, and which is the chapter entitled **"New evidence on the responsibility of the civil servant Mr. Vincent GUILGAULT, as head of the FIP accounting department other categories, in the alleged external illegality",** has become secondary and an insignificant part of my work presented in this book.

> Today, I glorify God for guiding me on this path, for allowing me to search for texts in order to present my right to defend myself and along the way, by dint of "to potasser (studying)", I came across a gold mine of information that allowed me to go well beyond my initial approach.
> So, today, I am given the opportunity to defend the cause of those not vaccinated against covid 19 who have been bullied, stigmatized. Why? While the various texts that I report in this book clearly show that there is a transgression of the law in what is put in place, by France but also by many countries.
> Then, in a second step, the Spirit of God inspired me to fight for my rights as well as those of all Sabbath and Shabbat observers who have been oppressed by Sunday laws for centuries.
> What more noble fight than that of shedding light on what women and men have experienced and where they have unjustly lost their lives, under the wrath of the black widow that is the Catholic Church, just because they had chosen to remain faithful to the Lord and rejected the dogma of this religion.
> This is how the result of my sufferings under the yoke of this iniquitous official who works in taxes gave a result in three poles which ended up in this book forming only one, as if by a fusion, thus, in these pages all my struggles found the same setting (jewel case), to be able to express themselves.

To continue, I would like to tell you a secret:

> I am not a lawyer, and these subjects that are dealt with in this work, until recently, just before I started writing, I did not master them at all, and the texts that I quote in these lines were for the most part unknown to me.
> Amazing, you might say, why, especially with regard to the vaccinal laws against covid 19, have lawyers not carried out these analyses that are presented here? How can a neophyte have the audacity to present such a file?
> In response, I would tell you that it is the Spirit of God who guided me to these texts and I want to glorify the Lord for this spiritual sword that he gives me to carry to you, singularly, to those who are suffering because of these discriminatory laws which, concerning the vaccinal laws, prevented them from carrying out their activities because they were not vaccinated against covid 19 or, within the framework of the Sunday laws, which force them to be unemployed, in spite of themselves on Sundays.
> I know that for many of you, presenting the all-powerful of God and highlighting the magnificence of his works may seem pure madness.
> And yet! Only the future will tell if the legal cases that I am carrying out and which are presented in this book will be favorable to me. If I win my case, especially in the case relating to the vaccinal laws against covid 19, it will be clear that the Lord is indeed on my side and that I have not lost my mind, his all-powerful will thus be recognized. Because where jurists, lawyers, deputies, senators etc., have not been able to defeat the vaccinal laws against covid 19, I, who do not have legal training, under the aegis of God, have been able to.
> So, listen, because the future will tell us what it is!

Some might have capitulated, would not have laid themselves bare by revealing such difficult and personal elements, but writing helps me to externalize the unthinkable, especially since I do not endorse violence as a means of dialogue, because other means of expression to make oneself heard exist.
Proof of this is, because although unjustly oppressed, cornered, I do not resort to violence but to the pen, to make myself heard and I thank the Lord for what he has done with me (makes me become).
One of the realities that is mine on this day is that I will not give up, until justice is done to me, and I will cry out with all my soul against the abominations that I have suffered. In the Mighty name of Jesus Christ, he the King of kings and the Lord of lords, all those who are at the origin of my downfall **"will not have my skin",** I will fight to the end like a lion.

> So, while the pitfalls present themselves like the Red Sea and the problems and difficulties follow me like the raging Egyptians. I am certainly destitute, but I continue to move forward despite life's storms thanks to my faith and the fact that I know I serve a great God. So I know he will act, one way or another!

In doing so, one thing is certain, although I am weakened by this extremely difficult and damaging situation for me (you now know the details of the case), these people will not destroy me because, as I have indicated, the Lord gives me the ability to put, through my pen, my experiences and my feelings, it is my outlet.
This book was written in French and English, so my story which goes beyond understanding will be known beyond borders.
I am not asking for vengeance, I am letting God act in his time. My goal is that justice be done to me, as well as to all those who have suffered and are still suffering the repercussions of the vaccinal laws against covid 19 and the Sunday laws, which are nevertheless unconstitutional and who therefore do not have the right to be in France.
To continue, I would say that we have come a long way, so far!
Throughout these lines I am convinced that I have armed you, with a view to asserting your rights or those of all those who are or have been suffering under the iniquitous rule of the vaccinal laws against covid 19 and the Sunday laws.
With this argument, the fruit of my reflection, I would like to challenge you, whether you are French or an inhabitant of another part of the globe:

1. Now that you have read this book, do you think I am paranoid?
2. Do my words seem like quibbles to you?
3. Do you think that in this century, in this country that is France, which prides itself on being the country of human rights, that what I have experienced has a reason to exist?
4. Can a civil servant, in an iniquitous (malicious) manner and without any reason, torment a business leader by forcing him to close his doors and reducing him to a state of begging, without anyone protesting...?
5. Can a government, which is supposed to serve the people, in the country that has the reputation of being the country of human rights, with impunity enact discriminatory and baseless laws and decrees in order to oppress a part of its people, without anyone protesting?
6. Where have gone the law, justice, fraternity and chivalrous qualities that make the honor of the human being?
7. If you were in my place what would you do, or if you were in the place of these caregivers who find themselves without resources, because they chose in their soul and conscience not to be vaccinated against covid 19, or that of these Sabbath or Shabbat observers who suffer the iron yoke of Sunday laws what would you wish?

To you who are reading me, do not forget that my current pain and that of the unvaccinated against covid 19 who have been forced into unemployment, or that of the Sabbath or Shabbat observers who are hindered by these iniquitous Sunday laws, could well be yours, or that of one of your loved ones.

Well, what you would have wanted for yourself, do it for us!

Let your cries rise from the depths of the universe to denounce these abominations that we are made to experience as those who are not vaccinated against covid 19, or as Sabbath or Shabbat observers or that I lived under the yoke of Mr. Vincent GUILGAULT without the representatives of the State intervening.
I expect your help, do not wait for death to strike us to come with flowers, cry on our graves and set us up as martyrs of the system.
It is now that we need you, today is the day when you must act, not only so that justice is done for me, but even more, in order to deliver all those who have lost their jobs because ofthe vaccinal laws against covid 19 or the Sabbath or Shabbat observers who are dispossessed by Sunday laws.

It is up to us to change things, by the grace of God.

To do this, (again I give you a little biblical wink), one of the beautiful images I have of unity that brings victory is presented in *[Ecclesiastes 4 verses 9-12, King James Bible]* which establishes the following: **"Two are better than one; because they have a good reward for their labour. 10 For if they fall, the one will lift up his fellow: but woe to him that is alone when he falleth; for he hath not another to help him up.** *Again, if two lie together, then they have heat: but how can one be warm alone?* **And if one prevail against him, two shall withstand him;** *and a threefold cord is not quickly broken."*

This text in its essence, presents, for me, the union as making the strength. The victory of the Allies, despite their faith or their diverse convictions, during the Second World War, shows us the value of the unity of all against tyranny.

You must now act.

My fiancée Nicole and I have done more than our part, because this book, as you have been able to realize, which is the fruit of a long and hard work, we offer it to you, so that you can change things.
Indeed, in accordance with what the Spirit of God inspired me, this document had to be free, so that all those who feel concerned by the cause can read it and mobilize.
Share this support (book) with as many people as possible, by all means, **by email, Facebook, WhatsApp, Instagram, Tik Tok, etc.,** I make it available to you in French and English, on my site. You will find these coordinates at the end of this chapter.

One of the blessings that God gave me was to touch the heart of my fiancée Nicole, so that she could agree to give shape to my ideas and correct this long document that you have in your hands in its French version.
Unfortunately, the correction could not be complete, since this file had to come out as soon as possible, so mistakes may remain, and we ask you to excuse us for this.

To continue, I would say that I have worked on average 8 to 12 hours a day on this file, in English and French versions, since October 2021 and I am in the process of finalizing it today, December 18, 2021.
The goal being that it comes out as soon as possible. At the same time, I continued, as I said, to work on my other works.

You received the fruit of this work for free.

In return, I have included a request for financial assistance that I am asking from those who will read me. Thus, even if I am currently in need, because of a situation beyond my control, I am hopeful of receiving help. Thanks to her, and this already makes me happy, I will be able to share my thoughts and convictions which will not fall into disuse.
My work will therefore not be in vain because it will, I am sure, enrich those who will read my books. So that you can understand my philosophy and my faith, I will present you with an allegory:

> Imagine that you have an orange tree that gives you abundant oranges that are as sweet as honey, which you intend to sell. However, situated where you are, no one knows that you have any for sale. As a result, your oranges rot on the tree while you are in need. To change this situation, you make plans to sell them and to do so you present them at a fair so that as many people as possible can taste them. Knowing that they are as sweet as you want them to be, you know that those who come and taste them will be conquered and that you will be able to live off your harvest.

This persona that I adopt to present my books may seem presumptuous to you. Nethertheless, for me, my works are like oranges, since they are the fruit of extensive research and a lot of hard work. Given their content, I am confident that they will provide you with knowledge that will strengthen you. I still have much to tell you through my books, which are in the process of being published.
I invite you, through their lines, to make new journeys. Before continuing, I would like to make it clear that I did not study literature, I am above all a passionate author not a writer.

> I address various themes in my books, as is the case in this one, which are dear to my heart and which highlight my deep convictions. This love of writing came to me one day when I had to reflect on the fleeting duration of our life on Earth.
> Many people have worked, enjoy the fruits of their labour during their lifetime, but often after their death there is nothing left of what they were, of their thoughts, or of their convictions. They go down into the grave and **"wither away like the ether".**
> I have no knowledge of what my forefathers were like. What their convictions were or what they did during their lives. All of this remains a mystery to me. Especially since I hail from the Caribbean, I come from a people who have experienced the chains and alienation of slavery. My need to write and my passion for words have stemmed from these reflections! On the other hand, when I read books that great authors like Tertullian, Martin Luther or Ellen G. White, the great reformers, etc., wrote a long time ago, I get to know them and their writings strengthen me. My need to write and my passion for words have stemmed from these reflections!

My ambition in this life is neither wealth nor fame. My abiding goal is to bring my knowledge to this generation and to leave a literary legacy to future generations. My deepest wish is to convey my knowledge and convictions in writing in order to share my books with those who will enjoy them and who, I hope, will be imspired by them. **There is still much to do.**

If this book you have in your hands has strengthened you, I invite you to read and distribute my other works to as many people as possible, because they will certainly bring you knowledge that will certainly also be beneficial to you. Many of these books are, or will soon be, by the grace of God available for free download on my website.
Unfortunately for me, "money being the sinews of war", since I have already invested all of my funds in the publishing of these first books that I presented to you before, in the section entitled "REMINDER OF FACTS AND PROCEDURE", in doing so, I no longer have the means to continue this work. Indeed, apart from these books that I mentioned, I still have *5 other works (Book)* that I have already put in place the framework but which are awaiting completion.

To conclude this beautiful journey that we have made thanks to this book, I would say to you that I hope that it will find its audience and that you, who will be led to read it, will not remain insensitive to this call for help that I address to you. I therefore appeal to your generosity. If you have been touched by this book, please help me to continue to fortify and help the greatest number of people. To do this, if you feel like it, you have the possibility to make a donation on one of the tabs **"Donate (with Paypal)"** or **"Faire un don (avec Paypal)"** present on my site: **kenny-ronald-marguerite.com. NB:** (tab located on the screen, on the left for computers and at the bottom for the mobile phones).