

To:
Refugee Board via Head of The Office for Foreigners
Departament Legalizacji Pobytu
ul. Taborowa 33
02-699 Warszawa

From:
Bastjan Avsec
ul. Ustronie 29
95-073 Grotniki
tel. 579-822-625

sygn. sprawy: DPU.252.420.252.2019

For original appeal letter which is in English, please visit either
<http://ausertimes.blogspot.com/2019/03/in-english-appeal-letter-to-warsaw-final.html> or download one at <https://docdro.id/nB0U0q8>

Written and sent to Warsaw on March 22nd, 2019 by Bostjan Avsec

Appeal answer to Refugee Board which is concerning Head of The Office for Foreigners decision dated to March 11th, 2019 (case number DPU.252.420.252.2019) about termination of my procedure concerning application for international protection in Poland which I have applied for 7 months ago.

First what is the Schengen Agreement(?) or real understanding(explanation) of Amsterdam treaty mentioned in immigration boss's letter:

BEFORE I ANSWER ABOVE ISSUE AND SINCE ONE INVOLVES TERMS SUCH AS TREATY AND AGREEMENT, LETS FIRST OBTAIN DEFINITION FOR THE TWO.

The difference between international treaty, convention and an agreement...

Treaty , agreement and convention are basically synonyms of each other if we are using them as a verb but if it comes as a noun then...

Treaty - a legal binding between two states for a necessary or vital matter.

Convention- it is a bit less than treaty . It holds a lesser compulsion.

Agreement- we can use this term in general, for mutual agreement between two people or two families or two companies or Many couple , many groups, many companies , many states etc. It is informal comparatively convention and treaty . Like you can't say that two neighbours have signed treaty , but can say they signed agreements.

Keep in mind that Amsterdam treaty(**applies to certain European states only**) is a multilateral treaty ONLY and as such doesn't qualify for REAL TREATY at all - **A REAL treaty is an agreement under international law entered into by actors in international law, namely sovereign states and international organizations.** A treaty may also be known as an (**international**) agreement, protocol, covenant, convention, pact, or exchange of letters, among other terms. Regardless of terminology, all of these forms of agreements are, under international law, equally considered treaties and the rules are the same.

REAL treaties can be loosely compared to contracts(FIRST FACT: contract in this case is Mr. Schengen while wannabe real traty is Ms Amsterdam): both are examples of willing parties assuming obligations among themselves, and any party that fails to live up to their obligations can be held liable under international law(its okay because EU human rights laws also fall under jurisdiction of United Nations and this is what we are talking about here - there is no fake and real when it comes to basic human rights which in this case are abustructed VIA

ALL SORTS OF FAKE mechanisms as you are about to see).

The Schengen Agreement signed on June 14, 1985 (this was prelude/basis into/for Amsterdam treaty which took place no less than 14 years ahead of one), is a treaty that led most of the European countries towards abolishment of their national borders, to build a Europe without borders known as “Schengen Area”. Signed in Luxemburg, initially by only five EU countries, the agreement remains one of the world’s biggest areas that have ended border control between member countries.

HISTORY

SCHENGEN (AMSTERDAM TREATY AND EUROPEAN UNION) ABOUT WHICH CHIEF OF IMMIGRATION IS DISCUSSING IN HIS LETTER (he is discussing the one of TODAY/NOW or since Poland joined one, but one didn't look allways like that – it also included prior to Poland some about whom I will discuss in this letter about as it relates to my case directly) WAS CREATED IN FOUR STAGES:

#1 STAGE (Nordic Passport Union)

First The Nordic Passport Union (REAL MODEL FATHER OF EUROPEAN UNION AND SCHENGEN APPEARED) was established In 1952, Denmark, Norway, Sweden, and Finland agreed to abolish passports for travel between them and to readmit citizens of other countries who had entered illegally into one of the four countries from another. On 1 July 1954, the Nordic Passport Union was extended to allow citizens to reside and work in any of the four countries without a residence or work permit. THEREFORE FREE FLOW OF RESIDENTS OF HERE MENTIONED COUNTRIES RELATED TO SAFETY AND ECONOMIC ISSUES WAS CREATED FOR THE FIRST TIME IN THE MODERN HISTORY OF THE WORLD.

#2 STAGE (European Economic Community what latter becomes known as European Union)

Paralel to Nordic Union, European Union begun to develop via its prelude into one known as European Economic Community which commenced in 1957.

WHAT’S THE DIFFERENCE BETWEEN THE SCHENGEN AREA AND THE EUROPEAN UNION (European Union came to life for the first time via Maastricht Treaty on 7 February 1992 by the members signators of the European Community in Maastricht, Netherlands)?

Termn Schengen is related foremost to safety (free flow between designated states) of people, while term European Union (what European Economic Community from which European Union developped) is related via historical (even that at this stage the two intertwine with one another in respect to safety and economically, this was not allways and still is not the case with all of its members – EU members such as Romania, Bulgaria, Croatia are outside of the Schengen even today) aspect foremost to economic issues between its member states.

The European Union (EU) is a political and economic union of 28 member states. The EU has developed an internal tariff-free single market and ensures the free movement of all EU citizens between the 28 countries. Though each member state has its own government there are shared laws which cover a range of areas including trade, agriculture, and regional development.

The original six members (Belgium, France, Italy, and Luxembourg) joined together in the 1950s with the signing of the Treaty of Paris (1951) and the Treaty of Rome (1957). They came to be known as ‘the European Community’.

The community expanded over the subsequent decades to include the other 22 members and it came to be called the European Union.

What is the Schengen Area?

The Schengen Area is a zone made up of 26 European states which have officially abolished passport and other types of border control at their mutual borders. For visitors to the EU it effectively means that the Schengen Area acts as a singular country, i.e. once you enter one Schengen country you have entered them all (in detail - 22 of the 28 EU member states participate in the Schengen Area. Of the six EU members that are not part of the Schengen Area, four—Bulgaria, Croatia, Cyprus, and Romania—are legally obliged to join the area, while the other two—Ireland and the United Kingdom—maintain opt-outs).

Back to Schengen/Amsterdam cooperation - what was created between Nordic states in 1952 still had to develop sometimes in the future for the rest of the European continent...

FIRST SCHENGEN HAPPENED, THEN AMSTERDAM TREATY...

#3 STAGE

During the 1980s, a debate began over the meaning of free movement of persons. Some Member States felt the concept should apply to European Union (EU) citizens only, which would involve keeping internal border checks in order to distinguish between citizens of the EU and non-EU nationals. Others argued in favour of free movement for everyone, which would mean an end to internal border checks altogether. Since Member States could not reach agreement, France, Germany, Belgium, Luxembourg and the Netherlands decided in 1985 to create a territory without internal borders.

This became known as the "Schengen area", after the town in Luxembourg where the first agreements were signed.

FINAL STAGE #4 ABOUT WHICH CHIEF OF IMMIGRATION IS DISCUSSING IN HIS REJECTION LETTER

AMSTERDAM TREATY

Following the signing of the Treaty of Amsterdam in 1997 (the first Schengen agreement between the five original group members of European Economic Union was signed on 14 June 1985. A further convention on Schengen was drafted and signed on 19 June 1990 and one took full effect in 1995 – two years prior to Amsterdam treaty), this intergovernmental cooperation was incorporated into the EU framework on 1 May 1999.

WHY ALL OF THE ABOVE !!!!!

BECAUSE MY CASE IS RELATED STRAIGHT TO EXCLUSIVE NORWEGIAN POLISH CASE VIA MENTIONED SCHENGEN/AMSTERDAM ISSUES <https://visegradpost.com/en/2018/06/19/polish-parliamentarians-met-silje-garmo-the-norwegian-woman-who-asked-for-asylum-in-poland-for-fleeing-barnevernet-with-her-daughter/>

NORWAY

Closest role model of Amsterdam treaty (economically/safety, timing, and as well as location wise most related socioeconomic multi governmental European experiment unification), Mr. Schengen begun cooperation with Norway already in 1996 and took full effect with one in respect to Amsterdam treaty in 1999 as already explained above and at <https://www.norway.no/en/missions/eu/areas-of-cooperation/schengen/>

When the Nordic EU members – Denmark, Sweden and Finland – applied to join Schengen, Norway and Iceland also had to enter into an agreement with the Schengen countries to retain free travel. This cooperation agreement was signed on 19 December 1996.

The provisions in the Amsterdam Treaty integrating the Schengen cooperation into the EU meant that a new institutional framework was needed, and a new agreement between Norway, Iceland and the EU had to be concluded. The association agreement was signed on 18 May 1999, and came into effect for Norway in 2001.

Some associate members of Nordic Union state Norway, became members of European Economic Community (EEC) already in 1973 (Denmark) while Finland/ Sweden in 1995. LONG BEFORE POLAND OR SLOVENIA WHICH JOINED WHAT BECAME EUROPEAN UNION FINALLY IN 2004.

THEREFORE NORWAY WAS AND IS THEORETICALLY WAY SUPERIOR („SAFER” IF YOU ARE TO CLAIM THERE IS NO GOVERNMENT CRIME/CORRUPTION IN ONE) STATE IN RESPECT TO SCHENGEN/AMSTERDAM ISSUES WHEN COMPARED TO SLOVENIA AND POLAND'S HISTORICAL PARTICIPATION – NORWAY WAS/IS MUCH MORE INVOLVED IN HERE MENTIONED SCHENGEN/AMSTERDAM TREATY ISSUES, BUT ABOVE MENTIONED HISTORICAL FACT ALONE DOESNT MAKE NORWAY SUPERIOR TO THIS CASE IN RESPECT TO POLAND OR SLOVENIA AS ONE ALONE MOST SVERELY VILATED ME PERSONALLY IN 2010 WHEN I ATTEMPTED TO APPLY IN ONE (for things to be even worse, Norway alone even that not EU state wouldnt allow me to apply for political asylum in one when there in 2010 as was involved in this very case – not about law treaties here, but INSTEAD most severe violations against particular individual due to financial liabilities involved in one – Norway was one of the first states involved in my case) FOR POLITICAL PROTECTION AND WAS INSTEAD DURING INITIAL ASYLUM PROCESS PROCEDURE AT THE OSLO'S POLICE STATION THROWN OUT ON THE SNOWY STREET – WAS FIRST THREATENED WITH ARREST AND IMMEDIATE DEPORTATION TO SLOVENIA IF CONTINUING WITH APPLICATION AND THEN SINCE I DECIDED TO PROCEED WITH ONE, I WAS THROWN OUT ON A SNOWY STREET IN THE MIDDLE OF THE WINTER.

From Norwegian <https://www.norway.no/en/missions/eu/areas-of-cooperation/schengen/>, I also cite about famous in Poland (term is visible from state issued documentation) DUBLIN COOPERATION „The Dublin cooperation, which establishes the criteria and mechanisms for determining which state is responsible for examining an asylum application”...this are important facts as we are talking about at least (mimimum if not way more for my case sake) equal procedure on legal scale – this is why I compare the two.

AGAIN FACTS ON AMSTEDAM TRATY, POLAND AND NOWAY

Treaty of Amsterdam, entered into force for EU states on 1 May 1999.

Schengen agreement between Norway and even European Union alone on 18 May 1999 (THEREFORE IS AT LEAST EQUIVALENT) . Norway started the implementation of the agreement on 25 March 2001.

Finally Poland joined the Schengen Area on 16 April 2003, and started the full implementation of the convention four years later on 21 December 2007.

VERDICT AND NO LONGER EVEN ANSWER OR APPEAL AS THIS CASE BECAUSE OF WHICH I HAVE LOST NO LESS THAN 23 YEARS OF LIFE WANT WAY TOO FAR.

POLISH CHIEF OF IMMIGRATION ALONE SUGGESTS BEST SOLUTION POSSIBLE ON HOW EACH MEMBER STATE IS RESPONSIBLE FOR ENFORCING EU LAWS RELATED TO ABOVE MENTIONED HUMAN RIGHTS TREATY (so hat one can exist on the first place), BUT AT THE SAME TIME HE DEFECTS FROM MENTIONED AGREEMENT (HIS OWN STATEMENTS GESTURE ON HOW OTHER EUROPEAN STATES MUST ACT AGAINST POTENTIAL EUROPEAN UNION STATE VIOLATOR STATE) BY REPEATING SOLE PROTOCOL 24 WHICH DISALLOWS SUCH ACTION ACCORDIMNG TO HIS OPINION (HOW ARE YOU GOING TO ACT AS A STATE AGAINST ANOTHER STATE OR PRIVATE PARTY IF YOU ON THE FIRST PLACE DECKLINE TO EVEN SEE/READ COMPLAIN – THEREFORE A TOTAL PARADOX NONSENSE) – HE IS THEREFORE WEIGHING BETWEEN HIS ETHICS AND AGREEMENT/TRATY WHICH SEEMS TO NOT EXIST IN REALITY !!!

THEREFORE, POLISH BOSS OF IMMIGRATION (he is not so guilty you know – think Polish president and his PM and then EU and world and so on – his real guilt is in hands of others and he alone is used as an instrument to convey PARADOX socioeconomic issues from their shoulders on the top of my head and head of others whose tragedies have lesser value for the state when compared to currption) IN HIS WRITING INDIRECTLY ADMITS FAILIURE OF EU AND OTHER SAFETY MECHANISMS RELATED TO HUMAN RIGHTS WHICH WERE ADAPTED AFTER YEAR 1945.

FROM POLISH CONSTITUTION:

For begining, everything stated on Polish Immigration's chief letter is in violation (usage of word hypocrisy is too mild in this case) with one...let me read for you following next paragraphs and as sen at Polish government site alone <https://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm>

FROM POLISH CONSTITUTION (assuming that you understand definition of one – is supreme law of the land).

THE FREEDOMS, RIGHTS AND OBLIGATIONS OF PERSONS AND CITIZENS

GENERAL PRINCIPLES

Article 30

The inherent and inalienable dignity of the person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities.

Article 31

#1 Freedom of the person shall receive legal protection.

PERSONAL FREEDOMS AND RIGHTS

Article 38

The Republic of Poland shall ensure the legal protection of the life of every human being.

Article 39

No one shall be subjected to scientific experimentation, including medical experimentation, without his voluntary consent.

Article 40

No one may be subjected to torture or cruel, inhuman, or degrading treatment or punishment. The application of corporal punishment shall be prohibited.

Article 56

Foreigners shall have a right of asylum in the Republic of Poland in accordance with principles specified by statute.

Foreigners who, in the Republic of Poland, seek protection from persecution, may be granted the status of a refugee in accordance with international agreements to which the Republic of Poland is a party.

From above case when compared to mine as well as any issues used against me for the last 7 months is evident 100% that as explained that I am a victim of political persecution on multiple trans government leveles (even international protection under United Nations is HIGHLY questionable as no assistance ever was ofered from one despite numerous requests for help from my side) due to involvemet in the case from highest government officials modern world have seen for the past 25 years (case alone is 23 years long – visit <https://ausertimes.blogspot.com/2018/06/completed-complain-which-will-now-be.html> to understand real issue behing one).

Chief of Polish immigration DESPERATELY even mentions false Article 67 (TFEU) to obtain credibility from me, but one doesn't do him any good as I take time to go over to read about one...Article 67 (TFEU), which calls for the development of a common policy on asylum, immigration and borders 'based on solidarity'. BUT this type of solidarity is made in reference to recent refugee flows across the Mediterranean ONLY (could take a wider scope in the future, but as of now thats all there is and as such doesn't apply to me in any way) !!!

For answer on mentioned Art. 105. „Przesłanki umorzenia postępowania” in the letter, I cite „When the proceedings for any reason become pointless in whole or in part”, please see my closing statement bellow and for PROTOKÓŁ UNII EUROPEJSKIEJ NUMER 24 (Mr. Dabrowski's comment related to 189 poz. 1472 from year 2008), continue with repeated reading bellow my closing statement.

CLOSING STATEMENT

FROM CHEF OF IMMIGRATIONS DECUIIONS, IT BECOMES EVIDEONT THAT POLISH STATE LAWS(CONSTITUTION) WERE VIOLATED YET AGAIN IN MY CASE FOR THE SAKE OF SOMEONE'S PRIVATE POLITICS (AGENDA AND PRIVATE POLITICS – CASE OF MY OWN IS RELATED STRAIGHT TO POLAND AND SITUATION IN SLOVENIA DOESN'T DEFER MUCH IF AT ALL FROM THE ONE IN UKRAINE WHERE ETHNIC CLEANSING WAS TAKING PLACE UP TO DATE FOR THE SAKE OF NEW USSR – IT BECAME EVEIDENT THAT UKRAINIAN REFUGEES FOR THE MOST PART RECEIVED VERY SIMILAR TREATMEMENT TO MINE WITHIN POLISH IMMIGRATION SYSTEM AS SEEN AT <https://www.fmreview.org/destination-europe/szczepanik-tylec> I CITE, „Many of them are not aware of the legal consequences of entering the procedure, such as the general lack of permission to work during the first six months of the process. This is mostly due to the fact that they do not receive timely and reliable information either from the Ukrainian or the Polish authorities. This policy has affected in particular those coming from the Eastern Ukraine who were already residing and

working legally in Poland but who were advised to apply for international protection when the conflict broke out. As the work permit is automatically cancelled at the moment of lodging an asylum application, they could no longer stay employed. More importantly, the refusal to grant protection - which was the outcome of the vast majority of applications - meant that they had to leave Poland and, in many cases, received a temporary re-entry ban. Similarly, Ukrainian students from the Donbas region studying at Polish universities who hoped to be granted international protection and had therefore lodged an asylum application instead of prolonging their residence permit eventually lost their right to stay in the country. As a consequence, those two groups of migrants have been faced with the choice of either returning to Ukraine or staying in Poland on an irregular basis „ <== research done by Polish investigators alone who had a close look into internal immigration affairs).

ILLEGAL DECISION OF POLISH CHIEF IS HIDING DISCRIMINATORY RUSSIAN POLITICS BEHIND EU LAWS AND POLISH BOARD OF REFUGEES MUST (per law/treaties and so on you should) TAKE NEUTRAL FROM FOREIGN POLITICAL APETITES DECISION (NOT TO LOBBY FOR INTERESTS OF FOREIGN POWERS OF WHICH SOME EVEN OCCUPIED TERRITORY OF POLAND IN THE PAST, BUT TO ACT NEUTRAL AS INTENDED UNDER LAWS).

I COULD STATE THAT DECISION OF MR ROGALA IS ILLEGAL (breaks all laws and international treaties related to human rights and attempts to mislead with Article 67 (TFEU), which is related to recent refugee flows across the Mediterranean was used to con), ENTIRELY DISCRIMINATORY (RACIST AND WITH GREAT ADMIXTURE OF HYPOCRISY WHEN COMPARED TO ABOVE SEEN NORWEGIAN ISSUE) AS WELL AS ILLEGAL, BUT THEN AGAIN I AM WELL AWARE OF STATED ABOVE IN RESPECT TO HIS REAL STATUS WITHIN POLISH COMMUNITY AS WELL POLISH STATE STANDINGS ON GLOBAL LEVEL.

ON FORUMS I HAVE OBSERVED THAT I AND UKRAINIANS ARE NOT THE ONLY VICTIMS OF ILLEGAL IMMIGRATION PROCEDURES WITHIN EUROPEAN UNION (Ukrainian citizens are not European Union citizens yet)... PHENOMENA IN WHICH BECAME EVIDENT THAT NATIVE POLISH CITIZEN REFUGEES ARE DISCOURAGED TO APPLY FOR POLITICAL ASYLUM IN GERMANY AND FURTHER NATIVE CITIZEN GERMAN REFUGEES ARE DISCOURAGED TO APPLY FOR ONE IN POLAND ALSO BECAME EVIDENT !!!

HOKUS POKUS WITH HUMAN RIGHTS IN ANOTHER WORDS... TRADE WITH HUMAN LIVES KNOWN ALSO AS SLAVERY SEEMS TO BE NOCKING ON DOORS OF HUMANITY AGAIN AND SUCH ANARCHY DOES GOOD ONLY TO ONE COUNTRY IN EUROPE. IF YOU ASK TO WHICH COUNTRY, THINK ABOUT 1945 (who lost war against humanity).

DEAR POLISH IMMIGRATION FORUM, THANK YOU FOR YOUR GOING OVER WITH ME ONCE MORE THROUGH ATTEMPT TO DO FORBIDDEN (through something that exists on paper only). WHATEVER YOUR DECISION MAY BE, I THANK YOU FOR YOUR TIME AND EFFORT TO HELP. SAME TO IMMIGRATION BOSS.

**With friendly regards to both,
Bostjan Avsec
Signed:
Date**

END

REMINDER

Issues from the past as seen **bellow which I have faced from Taborowa 33 for no**

less than 7 months(consequently was jobless and exposed during period to what you see here <https://ausertimes.blogspot.com/2019/01/to-polish-commissioner-for-human-rights.html>) **AND WHERE DOCUMENT 12008E/ PRO/ 24 WAS ALREADY CLARIFIED IN DEATILS AS PER ONE IS TOTALLY ILLEGAL/IRRELEVANT TO THIS CASE ...**

Supplemental documentation submitted with a appeal letter to refugee Board

ALSO CONCERNS ODWOŁANIE OD DECYZJI SZEFA URZĘDU DO SPRAW CUDZOZIEMCÓW Z DNIA 5 WRZEŚNIA 2018R., SYGN. SPRAWY DPU.420.1161.2018 O UMRZENIU POSTĘPOWANIA

I add to original appeal used against the decision of the Head of the Office for Foreigners(decision made on September 5, 2018, reference number DPU.420.1161.2018) also this very document which should serve as supplement to original appeal with detailed explanation on why EU's protocol number 24(no right to apply for political asylum/protection in EU member state if citizen of another EU member state) is completely invalid(illegal) and how Polish Head of the Office for Foreigners has even violated Polish constitution with his decision.

#1 REFERENCE TO VIOLATIONS OF POLISH CONSTITUTION

1) Gross violation of art. 7, 77, k.p.a. by omitting any assessment of the evidence gathered in the case:

Kodeks postępowania administracyjnego <https://goo.gl/HCH5Ar>

Art.7. k.p.a In the course of the proceedings, public administration bodies shall uphold the rule of law and take all necessary steps to thoroughly explain the facts and to settle the matter, bearing in mind the public interest and the legitimate interest of citizens.

Kodeks postępowania administracyjnego <https://goo.gl/dw28eL>

Art. 77. § 1. k.p.a The public administration body is obliged to comprehensively collect and consider all evidence.

2) Gross violation of art. 107 § 3 k.p.a. by the lack of any justification regarding the facts of the case:

Kodeks postępowania administracyjnego <https://goo.gl/USFWDe>

Art. 107 § 3. k.p.a The factual rationale of the decision should, in particular, indicate the facts that the authority found to be evidenced, the evidence on which it was based, and the reasons for which other evidence refused to be credible and probative, and the legal justification - clarification of the legal basis of the decision, citation of the law.

3) Gross violation of art. 105 § 1 k.p.a. by unjustifiably discontinuing the proceedings in question:

Kodeks postępowania administracyjnego <https://goo.gl/ZZnP6e>

Art. 105 § . When the proceedings for any reason become pointless in whole or in part, the public administration body issues a decision to discontinue the proceedings in full or in part, respectively.

Note in respect to violations of Polish constitution:

Nothing has been done so far in respect to Art. 7 k.p.a and Art. 77. § 1. k.p.a, Art. 107 § 3 k.p.a. as required by Polish constitution and art. 105 § 1 k.p.a. was even misused to unjustifiably discontinue here mentioned proceeding in question.

#2 REFERENCE TO PARADOX (CONTROVERSIAL) WHICH CONCERNS EUROPEAN UNION'S PROTOCOL NUMBER 24 (Document 12008E/PRO/24 - no right for EU citizens to apply for political asylum/protection in another EU member state) KNOWN ALSO AS CONSOLIDATED VERSION OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION WHICH IS USED WITH SOLE PURPOSE AND THAT IS TO VIOLATE BASIC RIGHTS OF EUROPEAN UNION'S CITIZENS - USED TO PROHIBIT EU CITIZENS EVEN FROM WHAT IS GRANTED TO THIRD WORLD'S IMMIGRANTS TO EUROPEAN UNION IN RESPECT TO LIFE PROTECTION.

PROTOCOL NUMBER 24
<https://goo.gl/SUGhQF>

PROTOCOL (No 24)

ON ASYLUM FOR NATIONALS OF MEMBER STATES OF THE EUROPEAN UNION

THE HIGH CONTRACTING PARTIES,

1) WHEREAS, in accordance with Article 6(1) of the Treaty on European Union, the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights,

2) WHEREAS pursuant to Article 6(3) of the Treaty on European Union, fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms, constitute part of the Union's law as general principles,

3) WHEREAS the Court of Justice of the European Union has jurisdiction to ensure that in the interpretation and application of Article 6, paragraphs (1) and (3) of the Treaty on European Union the law is observed by the European Union,

4) WHEREAS pursuant to Article 49 of the Treaty on European Union any European State, when applying to become a Member of the Union, must respect the values set out in Article 2 of the Treaty on European Union,

5) BEARING IN MIND that Article 7 of the Treaty on European Union establishes a mechanism for the suspension of certain rights in the event of a serious and persistent breach by a Member State of those values,

6) RECALLING that each national of a Member State, as a citizen of the Union, enjoys a special status and protection which shall be guaranteed by the Member States in accordance with the provisions of Part Two of the Treaty on the Functioning of the European Union,

7) BEARING IN MIND that the Treaties establish an area without internal frontiers and grant every citizen of the Union the right to move and reside freely within the territory of the Member States,

8) WISHING to prevent the institution of asylum being resorted to for purposes alien to those for which it is intended,

9) WHEREAS this Protocol respects the finality and the objectives of the Geneva Convention of 28 July 1951 relating to the status of refugees,

10) HAVE AGREED UPON the following provisions, which shall be annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union:

Sole Article

Given the level of protection of fundamental rights and freedoms by the Member States of the European Union, Member States shall be regarded as constituting safe countries of origin in respect of each other for all legal and practical purposes in relation to asylum matters. Accordingly, any application for asylum made by a national of a Member State may be taken into consideration or declared admissible for processing by another Member State only in the following cases:

(a) if the Member State of which the applicant is a national proceeds after the entry into force of the Treaty of Amsterdam, availing itself of the provisions of Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, to take measures derogating in its territory from its obligations under that Convention;

(b) if the procedure referred to Article 7(1) of the Treaty on European Union has been initiated and until the Council, or, where appropriate, the European Council, takes a decision in respect thereof with regard to the Member State of which the applicant is a national;

(c) if the Council has adopted a decision in accordance with Article 7(1) of the Treaty on European Union in respect of the Member State of which the applicant is a national or if the European Council has adopted a decision in accordance with Article 7(2) of that Treaty in respect of the Member State of which the applicant is a national;

(d) if a Member State should so decide unilaterally in respect of the application of a national of another Member State; in that case the Council shall be immediately informed; the application shall be dealt with on the basis of the presumption that it is manifestly unfounded without affecting in any way, whatever the cases may be, the decision-making power of the Member State.

End of Protocol #24

AND

European Convention on Human Rights <https://goo.gl/9gKY3V>

1) I cite paragraph #7 of protocol 24 which is in gross violation with European Convention for the Protection of Human Rights and Fundamental Freedoms as well as in gross violation with protocol 24 itself **(is contradicting itself)** :

"BEARING IN MIND that the Treaties establish an area without internal frontiers and grant every citizen of the Union the right to move and reside freely within the territory of the Member States"

Explanation:

It is not freely when you are blacklisted on job market, not freely when you are prohibited from even visiting state employment agency for job search, where you have no right to unemployment compensation, not freely where police acts against you with extreme prejudice and even once police is found guilty by court at police station one continues to act against you with most criminal/illegal manners possible, not freely where tortured via psychiatry **(almost killed on three occasions)** for no less than 5 years due to exercising freedom of expression, not freely where denied the right to domestic court/legal system which is even used against you in most oppressive ways possible in your country, and not freely where denied the right to European Union Court for Human Rights or Ombudsman for no less than 8 years.....not so freely for you to call monster known as **"freely move/reside within EU territory"** as such when in another country where you can "freely" move to and of which language you don't even speak because EU court repeatedly violates your plea for help **(for no less than 10 years did EU court violated "freely" in this case)**, you are not allowed to apply even for what is granted to third world's nationals in respect to basic life protection...

2) I cite paragraph #8 of protocol 24 which is again in gross violation with European Convention for the Protection of Human Rights and Fundamental Freedoms as well as in gross violation with protocol 24 itself (is contradicting itself):

"WISHING to prevent the institution of asylum being resorted to for purposes alien to those for which it is intended,"

Explanation:

IS RELATED TO WORDS ONLY, BUT ONE DOESN'T APPLY LEGITIMACY OF THOSE EVEN WHEN IT COMES TO THEORETICAL PART ("wishing" is one thing and law is something else)....

"Wishing" is actually a MUST for European Union's citizens per European Union or we should say one results in "no right to apply for" (victims of persecution don't have a choice as a result of "wishing").

WHEN IT COMES TO PRACTICAL PARTS AS IS EXPLAINED ABOVE *"WISHING TO RESERVE ASYLUM FOR ALIENS"* AND *"RESIDE FREELY WITHIN THE TERRITORY OF THE MEMBER STATES"* (HOW COULD IT BE FREELY WHEN CLAUSE ITSELF IN PROTOCOL 24 ALREADY SUGGESTS/SPECIFIES CRIME/PROBLEMS WITHIN VICTIM'S SYSTEM WHICH FORCES ONE TO ABDICATE/LEAVE LOCATION FOR FOREIGN STATE AND SINCE LEGAL SYSTEM ITSELF DOESN'T FUNCTION FOR HIM/HER NOR ON DOMESTIC/STATE AND NOR ON BROADER EUROPEAN UNION'S LEVEL.... ONE IS THEREFORE COMPELLED TO ANOTHER EU LOCATION WHERE CAN'T EVEN BE CONSIDERED EVEN WITH SAME RIGHTS AS ALIENS ARE. BECAUSE OF *"WISHING to reserve AND can move freely"* - CLAUSE CONTRADICTS ITSELF TOTALLY AND IS AS CRIMINAL AS IT GETS) NOBODY ASKS (such clause is DELIBERATELY missing protocol 24) PERSECUTED EUROPEAN UNION CITIZENS ABOUT WHAT THEIR WISH IS IN RESPECT TO *"RESERVE"*.

Nobody asks victims of crime neither as per what they wish for before and after crime happens to them unless off course you claim that crime/corruption/criminality doesn't exist on the territory of European Union what off course clearly suggests on insanity...

Insanity which, however, is still somehow seen by those who have created such law as real/legitimate gesture/answer to needs of European Union's citizens.

3) I cite paragraph #9 of protocol 24 which is in gross violation with European Convention for the Protection of Human Rights and Fundamental Freedoms as well as in gross violation with protocol 24 itself (is contradicting itself):

"WHEREAS this Protocol respects the finality and the objectives of the Geneva Convention of 28 July 1951 relating to the status of refugees,"

Even BASIC 1951 Refugee Convention of United Nations' multilateral treaty is totally violated since one defines who refugee is and which sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum !!!

4) I cite the main text and sub paragraph "a" of the "SOLE ARTICLE" pertaining to the paragraph of protocol 24 which is in gross violation (again contradiction) with European Convention for the Protection of Human Rights and Fundamental Freedoms as well as in gross violation with protocol 24 itself (is contradicting itself) as member states have duty not only to provide protection for me as a refugee per 1951 Refugee Convention of United Nations, but to also act accordingly against violator member state as required per Article 7 of the treaty on European Union (it's also why the partial decision of Polish immigration chief Mr. Rafal Rogala to turn this political asylum application down before one was even considered... Mr. Rafal Rogala knows

very well what subtext b), c), d) of SUB ARTICLE in Protocol 24 means for Slovenia, Belgrade, and Moscow in this case).

"HAVE AGREED UPON the following provisions, which shall be annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union:

Sole Article's text of Protocol 24 as seen above:

Given the level of protection of fundamental rights and freedoms by the Member States of the European Union, Member States shall be regarded as constituting safe countries of origin in respect of each other for all legal and practical purposes in relation to asylum matters. Accordingly, any application for asylum made by a national of a Member State may be taken into consideration or declared admissible for processing by another Member State only in the following cases:

(a) if the Member State of which the applicant is a national proceeds after the entry into force of the Treaty of Amsterdam, availing itself of the provisions of Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, to take measures derogating in its territory from its obligations under that Convention;"

I will not even go into subtext of Sole Article b), c), and d) and portion (more about Article 15 is explained below) of the Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms since one is mentioned in above paragraph which pertains to Protocol 24.

In time of war or other public emergency threatening the life of the nation any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law.

Explanation:

From European Union perspective, paragraph above attempts to mislead entire European Union deal in respect to rights of its citizens as specified in core proclamation by several countries which have signed Maastricht/Amsterdam deal in 1999 while in reality every EU member state is liable for its wrongdoings..

Even "work in progress" issue can be encountered at the end of the page at https://en.wikipedia.org/wiki/Treaty_of_Amsterdam

I cite, "The Amsterdam Treaty did not settle all institutional questions. Work was still in progress on reforming the institutions to make them capable of operating effectively and democratically in a much enlarged EU. " and what makes whole document even more illegal/criminal.

SLOVENIA DIDN'T SIGN TREATY OF AMSTERDAM, BUT HER VIOLATIONS ARE OUTLINED IN BASIC EUROPEAN UNION TREATY COVERING RIGHTS OF ITS CITIZENS.

Further, Slovenia have signed Consolidated Treaty on European Union <https://goo.gl/DDjJBX> (scroll down to Article 52).

In fact, Protocol No. 11 to the European Convention on Human Rights (ECHR) was ratified by all Council of Europe member States - in other words, ratified by all the forty-one Contracting States Parties to the ECHR including Slovenia.

THE BIGGEST STRIKE – THIS PARAGRAPH OF PROTOCOL 24 (main text and sub paragraph "a" of the "SOLE ARTICLE") TOTALLY CONTRADICTS EVERYTHING MENTIONED IN THIS DOCUMENT (entire document 12008E/PRO/24 as seen here is annulled as a result of paradox).....

FACTS THAT NUMEROUS LEGAL CASES ON BEHALF OF SLOVENIAN CITIZENS WERE ALREADY CARRIED OUT VIA EUROPEAN UNION'S COURT FOR HUMAN RIGHTS (this is important to note as this alone

binds Slovenia just as other member states to the Treaty on European Union and to the Treaty on the Functioning of the European Union - to article #15 basically) AGAINST SLOVENIAN STATE , AND THAT SLOVENIA WAS NOT FACING ARTICLE 15 CRISES OF ANY KIND DURING MOST SEVERE VIOLATIONS OF EU/INTERNATIONAL TREATIES/LAWS USED AGAINST ITS NATIVE CITIZEN, MAKES SLOVENIA LIABLE FOR EVERYTHING STATED ON MY OFFICIAL COMPLAIN <https://goo.gl/ZzLD89>

Above paragraph of Protocol 24 violates : Treaty on European Union, fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms – specifically violates Article 49 of the Treaty on European Union I cite, “any European State, when applying to become a Member of the Union, must respect the values set out in Article 2 of the Treaty on Union”(SLOVENIA GROSSLY VIOLATED THIS RIGHT) and Article 6(3) of the Treaty on European Union where it states as explained above on how European Union should/shall respect fundamental rights as guaranteed by European union(related to Rome statute signed on 4 November 1950).

Article 49 of the Treaty (Lisbon Treaty) on European Union states:

Any European state which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application.

Protocol 24 is in violation with Convention for the Protection of Human Rights and Fundamental Freedoms as amended by its protocols No. 11 and No. 14(basic human rights that is) as well as with Article No. 9(guaranteed freedom of thought, conscience and religion which in my case first was created and then violated by Moscow/ Belgrade/ Ljubljana via forms of extreme torture methods from which mentioned parties have even profited economically).

With paragraph 24 and partial decision of Mr. Rogala, 1951 Refugee Convention of United Nations' multilateral treaty was totally violated since one defines who refugee is and which sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum !!!

THUS DECLINING ME THE RIGHT TO APPLY FOR POLITICAL ASYLUM AS HUMAN BEING IN ANOTHER MEMBER STATE IS COMPLETELY ILLEGAL AND MOST CRIMINAL ACT POSSIBLE.

EVEN MORE SO CRIMINAL BECAUSE I AM VICTIM OF INTERNATIONAL CONSPIRACY(MKULTRA CASE WHICH LASTED FOR NO LESS THAN 20 YEARS – INTENSIVELY FOR NO LESS THAN 13 YEARS)....CASE WHICH INVOLVES TOP POLITICIANS AND WORLD GOVERNMENTS(incl. Belgium and Germany where I ALREADY applied for political asylum in the past, and have done in return other than retaliation for my exercising what belongs as basic right to every human being on earth - City of Budapest in Hungary have even stolen my car from Free parking lot" same day when I attempted to apply for political asylum in 2017) WESTERN AND EASTERN EUROPEAN STATES AS WELL AS NORTHERN AMERICA.

Having regard to the above-mentioned complaints, I am asking for the annulment of the contested decision and for the case to be reconsidered by the first instance authority.