Evaluation of the Prosecutor VD Eric MERMOUD

Vaudois Judiciary Officer, having occupied in the past the position as Deputy public Prosecutor, and has since been promoted Prosecutor Specialist.

«Works» in the monumental palace at Avenue de Longemalle 1, 1020 Renens

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Maritial status: married with Caroline, born Cruchon, pharmacist

Eric MERMOUD, Prosecutor Specialist, Central Prosecutors' Office VD

Mailbox of the spouses MERMOUD

Photos of the house

Entrance of the terraced house (in the centre)

Terraced house, where the family MERMOUD is living

All Links in Red have been illegally censured by the Prosecutor Yves NICOLET by secrete procedure.

Profile

Born in 1971. Gymnasium in Nyon. Law studies at the University of Lausanne. Vaudois Lawyers' licence.

We followed his career since 2006. At that time, he was a Deputy public Prosecutor. He did actually participate in this quality at the first show trial against APPEAL TO THE PEOPLE in November 2006 before the court of **WINZAP**.

In the framework of that function, he made as well a big effort for censoring the Web Site www.swissjustice.net

See: www.swiss1.net/info/vd-censure5

After the unification of the penal procedure in Switzerland, little Eric has been promoted automatically to the position of «Prosecutor». In his new/old job, he continued his endeavours to repress the freedom of expression.

Eric MERMOUD is a Magistrate with limited intelligence, as his writings are testifying. Example:

www.swiss1.net/info/appel-au-peuple/doc.0/mermoud-griffures-02

His way to base himself on «presomptions et des suspicions» yielded a crushing defeat at the Federal Court:

www.swiss1.net/info/appel-au-peuple/doc.1/tf120508

Other publications having MERMOUD as a subject:

www.swiss1.net/info/appel-au-peuple/doc.1/dossier-mermoud

www.swiss-justice.net/id/tinguely

Victims of this opportunistic government clerk:

Marc-Etienne BURDET
Gerhard ULRICH
Danielle RUSSELL
Birgit SAVIOZ
Sylvain COLLAUD
Michel RUBATTEL

MERMOUD is dysfunctioning for making career. In spite of his limited intelligence, he managed to proceed due to his servility to defend the interests of his corporation.

The time between my liberation of September 15, 2011 and my readmission at the prison on January 16, 2013

The Vaudois Magistrates did condemn me by slices, essentially for having allegedly offended their honour, to a total sentence of 4 years in prison. The heaviest slice was that one pronounced by the court of **WINZAP** on November 24, 2006, a trial where MERMOUD had acted as a Deputy public Prosecutor.

On September 15, 2011 I was liberated because of good conduct.

This regained freedom shall last just for 16 months. For understanding what had happened, you find my complaint number 29525/13 of April 17, 2013 addressed to the European Court of Human Rights. Extracts:

II. ACCOUNT OF THE FACTS

Preliminary account

(....).

The applicant is a detractor of the Swiss judiciary regime of the alleged Swiss «Constitutional State». Anyway, he is not the only critic, as the following examples are showing:

Edmund SCHÖENBERGER, Lawyer

The Lawyer of Lucerne of Mrs. G.D. etc., etc...

The applicant is denouncing dysfunctioning of Lawyers, among others via Internet.

He has been condemned for a total of four years in prison, essentially for having criticized a few Judges. By contrast, the judiciary apparatus has been obliged to acquit him from the abusive accusation of constraints launched by federal Judges.

By judgment of September 14, 2011 he was released conditionally, because of good conduct during the stay in prison.

Without a real motivation, determined by the Law, the «Prosecutor» VD, MERMOUD Eric did contest that decision, since he could not swallow his defeat (document a). MERMOUD Eric was mainly and explicitly arguing in his recourse, that the applicant did not close down his critics against the Swiss on the Worldwide Web, and that he exercised his right of freedom of expression. (…). .

The cantonal «Judges» **Joël KRIEGER**, Bernard ABRECHT and Fabienne BYRDE replicated this wrong argument in their judgement of November 14, 2011, charging me among others wrongly to be responsible for a publication on which I had no control, for being in a position to cancel my conditional liberation (document b). Anybody can verify the wrongness of that insinuation by consulting simply the Internet register WHOIS, for checking who is the real owner of that publication on the Web. My Lawyer ex officio had to address a recourse to the Federal Court (document c). In his last stance on that subject, Eric MERMOUD wrote on March 26, 2012 what did make him really nervous: «*In turn, the maintenance of the Internet Sites in spite of the pronounced condemnations with the declared aim to see third parties one day to pick up the accusations with the concern of being «historic truths» (..) is excluding the conditional liberation.»* (document d).

By these procedures, the Vaudois attempted vainly to exercise blackmailing on me, for shutting down my Internet Sites. However, no court has ever ordered to the applicant to suppress those Sites.

By decision of the Federal Court 6B_825/2012 of May 8, 2012 the federal «Judges» **Hans MATHYS**, **Laura JACQUEMOUD-ROSSARI** and Felix SCHÖBI defeated the projects of the Vaudois to have me jailed again, without any new judgment. *(«The cantonal Judges cannot refer to "presomptions" and "suspicions").»* (document e).

That was the way how the Swiss Federal Court had confirmed my conditional liberation. It remains to be specified that the role of any dissident defending civics is automatically to criticize the government employees of his country. The honourable Chinese dissidents are well known. They are suffering the same destiny as their Swiss colleagues, since the human rights are not respected in both countries.

Subsequently, the Vaudois cantonal court reacted in a stubbern way by revocating once more my liberation, however without advancing the smallest law infringement or element whis would not have been appreciated already for the decision of libaration. Without the slightes new fact, without any evidence, those Vaudois did base their decision on literally nothing for attempting to have me to regain the prison (document f).

On August 10, 2012 I submitted to the Federal Court my additional comments for facing the lucubrations of the Vaudois «Judges» (document g).
My Lawyer ex officio did than submit his recourse to the Federal Court on August 13, 2012, invoking the principle of the presumption of innocence (document h).

By ATF 6B_451/2012 of October 29, 2012 (document i), the same federal «Judges» **Hans MATHYS**, **Laura JACQUEMOUD-ROSSARI** and Felix SCHÖBI joined this time the

Vaudois as accomplices by repeating their argumentation perfectly wacky and far from reality, revoking my conditional liberation. This implied the consequence to have the applicant sent for another 15 months into jail, without having passed through another judgment confirming the slightest law violation.
Subsequently, the applicant addressed to the President of the Federal Court Lorenz MEYER on December 2nd, 2012 a letter (document j) with a request of reconsideration/revision (document k). That paper did elaborate among others the following arguments:

Hans MATHYS and consorts are throwing oil on the fire by invoking «new Internet Sites» which the applicant had created. However, these «Judges» seem to ignore that it is from a judicial point of view by no ways reprehensible to open Internet Sites, provided that no court has concluded that such Sites did contain illegal publications. Of course, in the present case, no court has ever stated that «new Internet Sites » of the applicant did contain forbidden contents. Even the attacked 6B_451/2012 of October 29, 2012 does not claim that, to the greatest stupefaction.

No new penal sanction may thererfore be applied. In the contrary, the ATF 6B_451/2012 is in contradiction with any logics and the practice of the Federal Court. This decision is violating in a most serious manner article 6 ECHR.
Anyway, according to Swiss Law, the aim of any prison sentence is to have the condemned integrated the society. The granting of conditional liberation is the rule when 2/3 of the prison sentence is reached. According to the Law, this release is notably granted after a good conduct during the stay in prison. It is perfectly in opposition to the Law, wanting to re jail the applicant with the following unique argument: «*In turn, the maintenance of the Internet Sites in spite of the pronounced condemnations with the declared aim to see third parties one day to pick up the accusations with the concern of being «historic truths» (..) is excluding the conditional liberation.*»

It is not in line with the human rights to exercise pressure, or even a heavy repression at the costs of the applicant, to punish him in reality without having passed through a new procedure resulting in a judgment which would deserve that designation, on the question of the conservation of Web Sites. This is however what the ATF 6B_451/2012 of October 2012 written down by the mentioned «Judges» is practicing. As a matter of fact, it is scandalous that such a nonsense judgment has been formulated at all.

My Lawyer ex officio has invoked for good reasons just the one principle in his recourse to the Federal Court of August 13, 2012, i.e. the presumption of innocence. The attacked decision is confirming the validity of this principle on page 3 in fine under point 2.1: « *She* (the authority) *cannot refuse the conditional liberation with the unique argument that she considers the*

condemned guilty for Law infringements which have not been the subject of a penal condemnation».

It is an irrefutable fact that the applicant was just never the subject of such a penal condemnation since his conditional liberation of September 15, 2011.

In their arguments of July 11, 2012 the Vaudois «Judges» did base themselves again on their presumptions and suspicions. The contested ATF is specifying on page 4, at the end of point 2.2: «*It* (the cantonal court) *did clearly point out not to pronounce any penal qualification of those acts, in order that it did not violate the presumption of innocence.* ». **MATHYS and Co insinuated wrongly that the Vaudois had respected in this case the presumption of innocence.**

One cannot follow such an absurd logic, because the Vaudois did backslide, by repeating their presomptions and suspicions, without invoking any new element. MATHYS and consorts did ambush themselves stupidly.

By ATF 6F_20/2012 of December 19, 2012 (document l), the same federal «Judges» **Hans MATHYS**, **Laura JACQEMOUD-ROSSARI** and Felix SCHÖBI declared this request of reconsideration inadmissible; they had the guts to revise themselves.

Summary

The decision of the Federal Court 6B_451/2012 of October 29, 2012 (document i) is invalidating itself its final conclusion, since it is stating on page 3 in fine that one could not refuse the conditional liberation with the argument that the Judges would consider an applicant to be guilty of Law violations which had not been the subject of a penal condemnation. The burden of proof has thus to be assumed by the judiciary authorities, showing that there has been indeed such a Law infringement. Anyway, such proof cannot be presented, since the applicant did not have any trail since his conditional liberation on September 15, 2011.

III. ACCOUNT OF THE VIOLATION(S) OF THE CONVENTION AND/OR THE ALLEGED MINUTE(S), AS WELL AS THE SUPPORTING ARGUMENTS

15.

There exists violation of article 6 ECHR, i.e. the right to have a fair trial. I did not even have such a trial. In the present case, I was not in a position to defend myself against the lubrications of the Vaudois «Judges»; my fundamental right to be heard has been flouted. This non respect of my right to be heard has been amplified by the fact that the federal «Judges» just did ignore

my additional comments submitted to the on August 10, 2012 (document g, page 3, point 1 of the contested decision). Anyway, the Vaudois and federal Judges are not impartial and independent in my regard: being their detractor, they are in the present case Judge and party.

In the absence of a fair trial, it has to be presumed that article 7 ECHR has been violated, because what the Vaudois did blame me for, are not reprehensible Law infringements, but unequivocal actions displeasing to the Magistrates. However, there may not be a sentence in absence or a Law.

In the same logic, in the absence of a fair trial, the freedom of thought and expression (articles 9 and 10 ECHR) have been violated. The authorities want to punish me, because I do not accept to bend to their brainwash.

Since there has not been a fair trial, I was not in a position to appeal, and consequently, my right to an efficient recourse has been ignored (article 13 ECHR).

Finally, article 17 ECHR was violated: the way as **MATHYS** and accomplices have acted is an abuse Law, since they did offend heavily the rules of good faith – their ATF 6B_451 of October 29, 2012 (document i) is contradicting itself (the point 2.1. contradicts the final decision), and above all, it is contradicting their own ATF 6B_825/2012 of May 8, 2012 (document e). As a matter of fact, there was no change of situation since October 29, 2012.

The European «Judge» **VUČINIĆ** had lined up his battery efficiently to hit this time my person. After a record of timing, within only 2 months, he did let me know on June 18, 2013 that my request of April 17, 2013 shall end up in the shredders of the European Court of Human Rights.
… and being a detractor of the judiciary tyranny, the ECHR had me sent back in jail to serve the rest of my sentence between January 15, 2013 and April 14, 2014, until the last day of my total condemnation – 4 years.

Evaluation of Lawyers

14.10.16/GU