PAG LETTER TO SCOTUS RE IAJ

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17 September 2025

PERSONAL COMMUNICATION

THE CLERK IS DIRECTED TO FORWARD THIS LETTER TO THE PERSONAL ATTENTION OF EACH JUSTICE

For the personal attention of:
Samuel A. Alito, Jr.,
Amy Coney Barrett,
Ketanji Brown Jackson,
Neil M. Gorsuch,
Elena Kagan,
Brett M. Kavanaugh,
Sonia Sotomayor,
Clarence Thomas,
and John G. Roberts
Justices of the United States Supreme Court
1 1st St NE, Washington, DC 20543

Establishment of the missing independent investigative mechanism of international law and treaty compliance under the UNCAT and the Istanbul Protocol

Dear Justices,

I write as a private attorney general and in the public interest to again identify an on-going controversy with a national footprint, and present evidence-based cases for judicial reform. Reform of the judicial process is mandated by the absolute prohibition of torture and cruel, inhuman, or degrading treatment under *jus cogens* in a manner consistent with this Court's jurisdictional limits, constitutional obligations, national authority, precedents and established canons.

In 2014, the Committee against Torture (CAT) identified significant gaps in the United States' domestic implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and urged concrete reforms (CAT/C/USA/CO/3-5). A key finding by the CAT was the non-equivalence of domestic law compared to the direct enforcement of the UNCAT. Another is the absolutely impermissible deviation of the United States with the

definition of prohibited acts under the treaty. Under the treaty definitions, prohibited acts extend to the treatment of litigants by our courts, which is the subject of my communication.

The U.S. ratification included a non-self-execution declaration and the United States declined Article 22. Thus Congress intended that the People of the United States cannot individually enforce absolutely non-derogable rights conferred upon them individually and directly, and established domestically under Article VI's recognition of the law of nations and customary international law and the preeminence of treaties under the supreme Law of the Land. This defect of ratification highlights a significant legal error, and reinforces a structural non-compliance with the treaty by Congress, and consequently, by government.

The test of equivalence of protection, relief, remedy and punishment is a critical litmus test of UNCAT compliance. The serious error by Congress radically limits the rights and protections conferred by the treaty through non-equivalence of domestic versus treaty-direct remedies, under a treaty that recites an absolute prohibition under the law of nations that requires no ratification by any State to be binding upon it under authority of the law of nations[1]. Article VI of the U.S. Constitution critically supports this required obedience. The U.S. Initial Report to the CAT confirms that the United States was an expert in knowledge of this absolute prohibition and was following and promoting it to the world prior to conception of the UNCAT, and throughout the treaty's design and presentment to the world.

The defects identified by the CAT undermine the sovereignty of each individual by denying certain un-enumerated rights conferred by the U.S. Constitution. The UNCAT inherently resonates with the Constitution when the Universal Declaration of Human Rights is used as a key to interpretation of its text. The right to freedom from UNCAT-prohibited acts is enshrined in the text of the Constitution as an un-enumerated right. The People desired expansion of their Constitution by treaty to establish the freedom from torture and cruel, inhuman and degrading treatment. Our judiciary ensure that this right remains deprecated and unrecognized.

Under Congress' design, only a foreign State can defend and insist on the recognition and domestic enforcement of some of the People's inalienable human rights through international action. This is not what the U.S. Constitution expects from the government of the People, particularly as the treaty authority recognized by the United States has declared that the UNCAT is not implemented according to its requirements.

[1] The law of nations has always been deeply respected in this nation, even before its founding. Refer to the Articles of Independence and the early history of the United States Constitution

As you are aware, I have been a repeat visitor to your court since 2020[2], and documented and reported the same uniform systemic violations of the human rights of disabled and pro se litigants by the state and federal judiciaries[3], which your Court discards, consistently with the standard judicial practice within the ranks of the judiciary of the United States. Thus I have repeatedly exhausted all domestic remedies in more than 20 cases. This is significant as it demonstrates the non-equivalence of domestic pathways for remedy versus direct enforcement of the treaty, and further confirms the CAT's 2014 findings.

My writs evidence the truth of judge Richard Posner's admission on behalf of the federal judiciary that judges treat pro se litigants as a "kind of trash not worth the time"[4]. My documentation of structural defects in court Due Process and intrinsic treaty violations by judges in operating the courts nationwide, brought to your attention through multiple ripe cases, was corroborated by two other independent disabled pro se litigant-victims of judges and courts in their ripe cases[5], whom you concurrently greeted in the same manner as me: with no action.

Unexpectedly, and thanks to the United Nations Secretariat, I learned that in 2014, the world authority on torture agreed with my independent analysis of U.S. treaty compliance, based on other evidence. Although I provided evidence to you of judicial human rights and UNCAT[6] violations for more than five years through my filings, with measurements that meet the tests of legal, scientific, medical and statistical scrutiny, your clerks obstructed my every complaint. Out of more than 20 cases submitted over five years, you filed only 3, and summarily denied them without hesitation, like "trash". A ripe controversy expressed through ripe cases by means of your established and oppressive rules and procedures resulted in a controversy of national and international import to remain.

Under the test of equivalence, the standard for acceptance for scrutiny for my complaints of human rights violations is radically contrasts with your rules and customs. Despite the cascade of *forum nullus* courts recorded in each case, and the necessity of original jurisdiction of this Court over the treaty-compliant human right complaints by victims, this Court 'turned its back' repeatedly, found no actionable controversy by endorsement of the prohibited acts by its lower courts, and acquiesced to the prohibited judicial conduct reported to it.

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[2] Human rights complaints attempted and obstructed by this Court: California Supreme Court S284268, S284075, S283992, S283705, S268997, S267318, S267314, S266549, S266540, S266474, S266471, S265717, S263716, S263714, S263711, S263610, S253843, S253843, S253843, Ninth Circuit Court of Appeals 23-15221, 24-3353, 24-6312, Tenth Circuit Court of Appeals 24-1107

[3] Note in particular pages 32 and 33 of writ # 23-7017

[4] Debra Cassens Weiss, Posner: Most judges regard pro se litigants as 'kind of trash not worth the time', ABA Journal Sept 11, 2017

[5] Eva Danilak, Julia Minkowski

[6] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The ‘court of last resort’ in the United States is the first and original federal court. It has not respected the supremacy of human rights treaties under Article VI of the U.S. Constitution when directly presented with verified reports of their violation by judges. Is this because the complexity of treaty law is beyond the reach and interest of judges?

This Court must come to appreciate the extraordinary obstacle of national credibility in the nascent history of this nation, and the nuanced and deliberate construction of the text of Article VI, without which no State would entertain treaty formation with an unknown entity which may revert to control by monarchy, and loss of all treaty consideration and benefits.

The text deliberately places the Constitution itself, as written in its original statement, equal to treaties with a punctuation. This interpretation, seen from the eyes of our founders, was the necessary price of world recognition of this nation as a State. The Constitution is written as a basis text purposed for expansion, not as a static text. Amendments are much more difficult to add than treaty ratification, which requires no state consent. Thus the general rule of later-in-time treaty modification is extremely onerous, but the state and federal judiciaries carelessly interpret it without context and history, or the necessary respect.

The complexity of treaty interpretation rises according to the necessary consideration of the restrictions on treaty modification under *jus cogens*, particularly as codified in the VCLT[7]. The resonance of human rights treaties with constitutionally embedded un-enumerated rights, makes treaty modification prone to violation of the Constitution itself. Further complexity is added by the treatment of an absolute prohibition under *jus cogens* that provides non-derogability under all circumstances, without exception, even under exigent circumstances.

Despite the requirement of competence in law, and impartiality, when judges face a UNCAT question about their own conduct, they predictably and invariably violate the treaty by quoting generalities and erroneous interpretations to erase any pathway to remedy. Such judicial conduct necessarily constitutes the further commission of the prohibited acts which they are asked to abate.

As a result of this systemic epidemic within the judicial process, I made a proposal to each of you by motion and personal communication on January 15, 2025 for correction of the judicial process by integrating human rights meaningfully. To remind you of the proposal, which was provided as an appendix to a motion for your disqualification[8], I have attached a copy to this letter.

[7] Vienna Convention on the Law of Treaties (requires not ratification by the USA with respect to its applicable terms)
[8] Inspired by communication with the UN Secretariat who asked that I submit my human rights complaint to the Special Rapporteur for the independence of judges

After seven and a half years of measuring judicial torture and cruel, inhuman and degrading treatment and punishment in 10 state and federal courts by more than 40 judges, and deriving a predictive statistical model of prohibited judicial conduct at the cost of my Life, Liberty, property and rights, it is abundantly clear that the only recourse of the People against judicial violations of human rights and UNCAT is to resort to the supremacy of human rights treaties and an absolute prohibition under *jus cogens* of customary international law, and to involve international expertize and assistance to remedy an uncorrectable defect in our domestic government and its judicial process that prevents treaty compliance.

In view of this Court's inaction, the People of the United States proceeded to establish the missing mechanism of independent investigation of human rights violations pursuant to the Istanbul Protocol. The entity is designed to be a National Human Rights Institution under the Paris Principles. This NGO will independently investigate and provide a 'live feed' of human rights violations to U.N. Human Rights bodies including the Special Rapporteur on torture, the Special Rapporteur on the independence of judges, and to the Committee Against Torture (CAT). The entity is the Institute for the Advancement of Justice & Human Rights (IAJ)[9]: please make a note of it[10].

It should be observed that based on my statistical model, every court in our nation becomes a *forum nullus* upon being presented with a human rights complaint involving prohibited acts involving the judiciary, particularly a complaint that pleads, or may be interpreted as pleading, UNCAT-prohibited acts by the judiciary.

Each court that systemically denies effective judicial protection and relief**,** renders the victim-litigant incapable of accessing constitutional rights including the Due Process and the Equal Protection of the supreme Law. Protection, relief, remedy and punishment for prohibited human rights violations are unavailable through our courts for practical purposes. The non-compliance of the state and federal judiciary with human rights treaties in their administration of justice is a systemic national problem, leaving no forum for un-conflicted adjudication of such cases.

The statistical finding is that the victim-litigant must seek protection, relief, remedy and punishment in this one and only Supreme Court. And, as this Court is well aware, it has privileged itself to focus upon its own selective pleasure and closes its door on cases that, by the operation of the U.S. Constitution and *forum nullus,* require its direct intervention and adjudication. Jurisdiction of this court in these cases and under this persistent national controversy is a mandate of Articles III and VI,

[9] http://iaj.institute
[10] Please also note the communications with the U.S. State Department and with the CAT, which the IAJ intends to publish on the investigations page of its website.

and *jus cogens*. Failure of ensuring treaty compliance by the nation's highest Court when such controversy exists, constitutes an internationally cognized and absolutely prohibited endorsement of the derogation of non-derogable human rights.

According to the CAT's 2014 Concluding Observations (C.O.), the UNCAT is self-executing, unless and until the United States fully implements its obligations under the Convention. Its RUDs[11] are non-essential and severed in majority under *jus cogens,* particularly since they undermine the object and purpose of the treaty. The United States has recognized the authority of the CAT, but has not yet made the necessary domestic corrections to comply with the treaty. The CAT rejected the alleged equivalence of domestic laws compared to the direct enforcement of the UNCAT as self-executing binding law. Under *Charming Betsy*, the CAT's C.O. is the standard to be met at law, and *Medellin* is modified to include the C.O. and exclude the non-compliant RUDs.

It is extraordinary that the nation that boasts human rights is the nation whose government is so radically criticized for its failure of compliance with an absolute law in human rights that other nations recognize and obey, while our government professes its excellence and leadership in human rights, and insists that it is above international law.

According to the Executive and Legislative legal analysis of the UNCAT and the United States' repeated assurances of full compliance, the judicial process is expected to correct any errors in law by Congress and any U.S. non-compliance with the treaty. This is includes the mandate by Congress that withdrawal or alteration of RUDs requires Congressional advice and consent.

Advice and Consent is required for ratification. But once ratified and once RUDs are found to be non-essential and severable, and if maintained and not withdrawn, 'illegal' under the law of nations, as well as being doubly prohibited under the absolute prohibition under *jus cogens,* then the judicial process must not abdicate its independence or the mandate of the supreme Law of the Land. The U.S. has clarified that no political question remains with respect to its commitment to the "*full and effective implementation of its obligations under the Convention*".[12]

When despite the 2014 C.O., Congress refuses or fails to correct non-compliance for more than 31 years since ratification (11 years since the CAT's 2014 Concluding Observations) and defends its RUDs, then, a controversy is ripe and active continuously, and has been reported directly to you Justices for at least the past five years, in more than 20 separate cases.

[11] The U.S. Reservations, Understandings and Declarations as deposited with the instrument of ratification
[12] See Initial Report by the U.S. to the CAT

The U.S. may not withdraw from the UCAT as it has confirmed that, according to *jus cogens* and the law of nations, no withdrawal is possible. Therefore, it remains for the U.S. to either comply with the object and purpose of the treaty or continue to violate the treaty. The other two branches of government persist with violating the treaty through withholding compliance with the C.O., therefore the third branch must come 'to the rescue' of the People and international Order.

Since the RUDs are based on the rationale that the integrity and independence of the judicial process will ensure the nation's compliance, by virtue of the C.O. and reports of non-compliance directly reported to your court, the controversy has been ripe for 31 years and rests squarely in the laps of you, the Justices of this Court. You are privileged uniquely as public servants with constitutional power to annul bad laws, and have done so in American legal history. Domestic remedies have been, for all practical purposes, exhausted in the domestic cases of UNCAT violations reported to you. The bright line of law and reason awaits you action.

Violations reported by the People, unrecognized under non-equivalence of domestic laws and treaty, must not remain in public view, with emergent evidence confirming systemic treaty non-compliance, without your intervention. It is the role of the judicial branch to thwart tyranny and hold the Legislative and Executive branches to account. The controversy arises because of a defect in the implementation of a human rights treaty that confers individual rights but is ratified by an instrument containing errors of law, and which deprives the People of non-derogable rights, and whose ratification may not be withdrawn under *jus cogens*. This relies on the judicial branch to correct without defacing the treaty, and without undermining our national security and the good will and respect of other nations.

The presumptive encouragement of UNCAT violations through the absence of government correction has been present for more than three decades, and the duty of this Court is clear. Federal common law provides guidance in *Charming Betsy,* and the 2014 C.O. modifies *Medellin* to hold UNCAT as self-executing absent implementing statutes. The U.S. recognition of the authority of the CAT guides the principles to be applied by this Court to Congress' transgression of Article VI and *jus cogens*, and the Executive's defense of it. No Advice and Consent by Congress is necessary for this judicial correction, but essential to motivate Congress to revert to constitutional conduct with clear guidance at law.

The representations of the United States in its Reports to the CAT assuring it and other nations of "*full and effective implementation of its obligations under the Convention"* leave no room for inaction by this Court by evasion through political question jurisdiction. Congress deemed that some

domestic legislation is necessary to comply with the object and purpose of the treaty, thus eliminating any political question regarding U.S. compliance. The limited domestic legislation that is offered in support of the U.S. position of equivalence of domestic laws and UNCAT direct enforcement, mandates this Court's scrutiny and provision of "fair construction", and ensuring national compliance with the world authority on torture and with the law of nations.

This Court has an obligation to set precedent in harmony with the CAT Concluding Observations. Delay promotes on-going endorsement of prohibited conduct under non-equivalence, which I report as on-going, harmful to the People, and occurring with force in state and federal courts. The UNCAT requires this Court's judicial intervention to correct a major error of legislation and finalize politically-settled compliance. This is a matter of ensuring judicial practice conformant with the treaty and Article VI, to be established by this Court as a national standard. Every state and federal judge and every court must recognize and adjudicate complaints that plead or may be construed as pleading UNCAT violations, including prohibited acts by judges, by means of a pathway through jurisprudence that provides measurable equivalence in outcome with the treaty requirements.. None do.

Prevention of torture by this Court is overdue. Judges expressly obstruct and discard UNCAT complaints, fail to discern human rights complaints that are actionable under the UNCAT, and consent or acquiesce to UNCAT violations by others when they do not instigate or inflict these prohibited acts themselves. A detailed accounting of this truth, with copious evidence and documentation in the public records has been provided to this Court continuously for the past five years, and continues to fill the public record under my name and others. Plausible independent evidence of the accuracy of the statistical prediction of structural and systemic judicial violation of the UNCAT and other human rights treaties, appears to be flooding in to the IAJ, which must be studied to evaluate the seven+ year study findings.

When statistics predict that the Supremacy Clause is undermined by every judge and every court in the nation when facing human rights in the judicial process, and emergent data from around the nation may support it, it is the original federal court which must oblige all complaints from the victims, directly. This original Article III court must not forfeit its independence, and delegate authority to inferior courts at the leisure of Congress which formed them, and presume that our federal courts operate soundly. For five years, it has been demonstrated in this court's record and numerous communications that it will not 'lift a finger' to address the unmistakable systemic human rights violations of state or Article III judges, and will obstruct complaints therefor, and that it did not provide the necessary correction and punishment under its code of ethics.

Five years after my first pleading on disability and my request to this Court for Safe Harbor and disability accommodation which you ignored, this Court has taken a baby step with *A.J.T. v. Osseo Area Schools*, but without benefit to me.

Tudor v. Whitehall, 2d Cir. 2025 cast shame on public statements by U.S. Courts and precedents on ADA accommodation in federal courts, which remain human rights violations of the highest order, and actionable without deadline. In contrast, the mature pedigree and breadth of human rights principles (1948) and treaties contrast with the late emergence and insufficiency of our domestic precedents on human rights, confirming my thesis. The 'not invented here' reluctance of our judiciary to engage with human rights proper and leverage the outstanding work of human rights experts to enhance our domestic laws, precedents and judicial process, reflects poorly on the leadership in human rights reported by the United States in its 1994 Initial Report to the CAT, on behalf of all three branches of government.

When the IAJ opened its electronic complaint submission on August 4, 2025, six complainants registered and began entering their complaints. The next day eight complainants registered and began entering their complaints. As of midnight PST on September 14, 2025, the IAJ confirms that ninety-three complainants had registered around the country and were entering or adding to their complaints. Third party reports about the human rights violations of other victims identified twenty-five alleged victims of courts as of September 13, 2025. The rate of complaints is likely to increase more rapidly, probably in spurts. This is because the IAJ receives reliable information from complainants of the existence of numerous other potential victims whom they intend to refer to the IAJ. The IAJ is informed that for a very long time, the People have been vocal, and have also organized in groups around the country, to address the deficiencies in the judicial process. Violation of human rights within the judicial process is therefore a national concern. Is this Court able to recognize a Constitutional crisis if it were in plain sight[13]?

The PAG has been made aware of human rights treaty cases pending before this Court, other than his own. The submissions by these persons to this Court are presented under the only procedure that this Court makes available to them, and which unduly burdens them and is inconsistent with international Protocol. Each submission contains a human rights complaint that is recognized by the Istanbul Protocol, and constitutes a treaty complaint under the original Article III jurisdiction of this Court when a constitutional crisis in present. For that reason, this Court is advised that each of these

[13] Katherine Koretski and Lawrence Hurley, Justice Amy Coney Barrett says country is not in a 'constitutional crisis', NBC News Sept 4, 2025 -- https://www.nbcnews.com/politics/supreme-court/amy-coney-barrett-says-country-not-constitutional-crisis-bari-weiss-rcna229238 -- "I don't know what a constitutional crisis would look like,"

human rights complaints, should be recognized and addressed by this Court according to Article VI of the US Constitution and *jus cogens*, and not according to the customary practices of this Court that strictly enforces hierarchical adjudication through abdication and delegation of its original jurisdiction. The pro se individuals advancing these cases include:

- Julia Minkowski, California – obstructed by clerk
- Sossama Geroge Sebastin, Illinois – SCOTUS # 24-1226
- Linh Tran Stephens, Oklahoma – obstructed by clerk

Each of these persons has reached out to the IAJ for investigation, and also to the PAG. Ms. Sebastin specifically requested an amicus brief, which this Court's rules prohibit, but which the U.S. Constitution permits. It should be carefully noted that these individuals have, for practical and reasonable purposes, 'exhausted all domestic remedies'. Ms. Stephens has also reported three additional SCOTUS cases of interest to the IAJ, pending assessment:

- Jennifer Lynn Dees & Ethan D. Smith, New York – SCOTUS # 25-5035
- D.R., Hawai'i – SCOTUS # 24-6971
- Conghua Yan, Texas – SCOTUS # 24-554

This Court's response to human rights complaints that can be construed as pleading or reporting UNCAT violations is a matter for international scrutiny. *Jus cogens* and customary international law require equivalence of outcome between direct application of the UNCAT in domestic courts, and the alternate pathways of protection, relief, remedy and punishment alleged by the United States as equivalently existing under domestic law[14]. This Court is obligated to ensure this equivalence exists, or is corrected if it not demonstrated in every case. Under Separation of Powers, it must also discipline wayward judges and set a national standard in human rights compliance within the judicial branch. Human rights must be restored and be a national cornerstone of Justice.

According to common sense and the international standard applicable to the UNCAT, adjudication by this and any other court should await the findings of the independent investigation by the IAJ. It is the PAG's finding based on statistics and emergent data that no equivalence is possible under the alternate pathway alleged by the United States as existing under domestic law. Thus the direct enforcement of the UNCAT through self-execution and in conformity with the Istanbul Protocol, and the requirement of an independent investigation by an NHRI (the IAJ) prior to adjudication, must be the precondition and the basis for the mandatory adjudication of such cases by this Court.

[14] See U.S. Initial Report, Periodic Reports 2-6 and one-year-follow-up report (2015).

The world standard for submission of human rights complaints and recognition of a UNCAT treaty violation is un-burdensome, and not subject to the rigors of your sophisticated and mechanistic procedures that are not perceived by the public as displaying legitimacy in processing any human rights complaint submitted to your Court. In the case of Minkowski, your clerk 'lost' one of her writs and has refused to acknowledge it despite her repeated efforts with proof of submission, and her other writ has so far been obstructed for more than one year, and continues to be obstructed, as were mine. The sensitivity of this Court to the plight of the victim of human rights violations within the judicial process and the likely practical exhaustion of remedies through the courts must be a cause for public confidence, not illegitimacy.

It is in the best interests of the People of the United States that this Court address internal reform and scrutinize its compliance with Article VI and a major human rights obligation.

It is not national pride and our State sovereignty that must be a bar to our continuous demonstration of deep respect for the law of nations and continued harmony with it in domestic adjudication with respect to human rights treaty compliance. Only through leadership in world human rights can we influence the evolution of the law of nations, and direct it for the good of all and for peace and unity of the global human family. Instead, we are implicated for its violation, and this degrades who we are as a people.

We the People desire the world to seek our courts, assured of justice and remedy under treaties, not to lose face and faith and security on the international stage. At the moment of ratification, it is international law and *jus cogens* that speak profoundly and clearly on treaty compliance, and the law of nations has spoken through the CAT whose authority we accept. In the matters that I report, controlling *jus cogens*, accurately applied in 2014 by the CAT, must command respect from this Court, as must the rule of the law of nations that speaks on domestic compliance with the UNCAT. Neither may be disparaged or ignored, or contradicted.

To begin compliance and as a first step, it is necessary to remove the delegation of power to your clerks to accept pleadings and communications that require your personal review. The rule privileges persons whom the People did not appoint with tenure to this Court, to extinguish human rights by exercise of full and final authority of the Justices, *en banc*, as they routinely do, to obstruct personal communication with each of you. It must be clearly understood that on your behalf, your clerks thus consent to consequential prohibited acts.

Instead, every complainant whose complaint may be construed as a human rights complaint must be so identified, and must be able to directly address a Justice without obstruction by your clerks or by

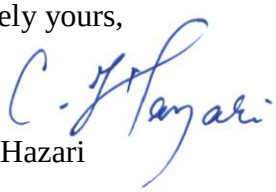
your rules. This must be arranged for intake of a human rights complaint, and for protection from harm and for disability and other accommodations, without the rigors of your formalities, and obstructions by your procedures, until your court has the necessary procedures for screening and handling such communications without causing more harm. Thus your clerks must receive training and be required to flag submissions for screening according to human rights criteria.

The duty of treaty compliance remains a non-delegable judicial duty under these circumstances. I speak from five years of personal experience with your clerks, who have obstructed numerous human rights complaints, and discarded requests for disability accommodations and protection from continuing harm. Your recall that your clerk even obstructed my letter to the Judicial Conference.

I continue to accumulate serious injuries from my torture by state and federal judges and remain at death's door. I inform you that your Court has no demonstrable competence in the integration of human rights into the judicial process, and has not demonstrated any interest in treaty compliance by our nation's judges. For this purpose, your Court requires an expansion of resources and impeccable training in the integration of human rights into the judicial process. This must be integrally combined with the insights and monitoring from an independent National Human Rights Institution that will be a mirror for your integration of human rights protocols and standards required for implementation and enforcement of human rights in the judicial process.

Since we have repeatedly revisited the subject, I will not repeat my stance on your code of ethics which, as you and the public are well aware, urgently requires revision as commemorated in my filings, and must include consistency with world standards that integrate human rights as the core of ethics, and require judicial discipline for violations. Punishment of prohibited acts by judges is a requirement of the UNCAT.

Sincerely yours,



Cyrus Hazari

cc: IAJ, CAT, Special Rapporteur on UNCAT, Special Rapporteur on Independence of Judges

attachment: January 2025 proposal to collaboratively create the IAJ

APPENDIX

B

APPENDIX B: Proposed steps for an investigation

PREAMBLE

Recognizing that human rights are fundamental to this nation and to its Constitution and vital to this nation's interests and security in the world and of paramount importance to the People; and recognizing that the judiciary of this nation must at all times be committed to the recognition and the protection and the enforcement of human rights in ensuring justice and in the course of jurisprudence; and recognizing that there must be mechanisms in place to guide, monitor and correct jurisprudence to continuously demonstrate the highest standards of judicial conduct that impeccably ensure human rights; and recognizing that the guidance, monitoring and correction of human rights in jurisprudence must be performed ethically and independently of judicial influence or control, with impartiality and with authority, and in conformity with International standards of human rights; and recognizing that the judiciary play a critical role in advancing national and international standards in human rights in concert and in unity with the United Nations[374] and must continuously empower and support the international success of human rights and the domestic and worldwide proliferation of an ethical judiciary[375]; and recognizing that when any domestic mechanism for recognition, protection or enforcement of human rights by the judiciary in conjunction with independent bodies reaches an impass or obstacle, that there must be an international mechanism for resolution of differences[376] to ensure the highest standards of human rights in jurisprudence[377]; and recognizing our commitment to the Preamble to the US Constitution; and recognizing that allegations of violations of human rights by the

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[374] And recognizing that unity herein does not mean the merger or consolidation or forfeiture of independence, but instead means that both the American judiciary and the United Nations must simultaneously and independently advance human rights to the highest possible standards, and always seek harmony to derive a mutually endorsed standard for offer to all nations in the design and approach and processes for advancement and protection and enforcement of human rights.

[375] And recognizing that an ethical judiciary is a judiciary that recognizes, protects and enforces human rights as the first canon of its code of judicial conduct.

[376] The US Constitution recognizes that this nation exists and survives and thrives in a world society, and may never remain insular, and that treaties are necessary and essential to the general Welfare and to provide for a common defense, to establish Justice, to insure domestic Tranquility, to form a more perfect Union, and to secure the Blessings of Liberty to ourselves and to our Posterity.

[377] Under the Constitutional lens, such an independent body must be independent of all branches of government, and hold its strict conformity with International Law, which is authorized under Article VI of the US Constitution which provides that treaties are a separately recognized component of the supreme Law of the Land separately to the laws enacted by the legislative branch

judiciary requires an abundance of caution exercised by judges and a sincere and independent inquiry; and recognizing that disabled litigants have protections and rights provided to them by domestic legislation and by treaties; and recognizing that human rights in jurisprudence may be violated by virtue of innate bias and norms, customs and practices, including discrimination, that may require review of judicial norms from time to time based on the evolution of society; and recognizing that accommodations for the disabled litigant in the course of litigation are best determined objectively and based on science and medical expertize by an independent body of qualified persons and medical experts; we hereby proceed in this cooperation between the People and the United States Supreme Court.

FINDINGS

Without implying any wrongdoing or admitting any fault; and finding that the American judiciary recognize in their hearts and minds the importance of their commitment to excellence in the administration of justice and its role in the unity of the People, and the highest standards for ensuring Justice and the general Welfare and the securing of the Blessings of Liberty to the People; and finding that five independent litigants have alleged that the American judiciary are perpetrators of prohibited acts under International Law[378] that impinge on human rights, and that four independent litigants have alleged that the American judiciary are perpetrators of prohibited acts under domestic laws that prohibit discrimination in jurisprudence based on disability, that are also human rights violations; and finding that under the United Nations Charter and under customary international law, certain standards exist[379] for the necessary investigation of such allegations, and the prevention of such conduct, and the necessary protection of alleged victims pending such investigation; and finding that it is alleged by these victims that there is no effective national or local mechanism for the prevention or investigation of the alleged conduct that is compliant with the standards promulgated under International Law; and finding that an investigation is warranted under an abundance of caution and in compliance with International Law; and finding that the protection of these identified alleged victims is proper and necessary pending the investigation under an abundance of caution and in

[378] And under Article VI of the US Constitution

[379] As promulgated by the United Nations, specifically the Istanbul Protocol for the violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). These standards are well-developed by domain experts who have decades of experience and have embodied their expertize and experience into the formulation of well-developed standards and practices which may be immediately leverage to provide excellence as a starting point for a framework and process of investigation.

compliance with International Law[380]; and finding that such an investigation is of the highest benefit when it treats every person who may be potentially affected as a beneficiary; and finding that the nation benefits by efficiency and avoidance of duplication in addressing such prohibited acts which may be achieved by establishing an effective and persistent mechanism and framework and process for this nation arising from this investigation; and finding that it benefits our nation to have a persistent mechanism and framework and process that is independent of all branches of government and which is compliant with the United Nations Charter and with International Law on an on-going basis; and finding that such a persistent domestic mechanism enhances and promotes our world stature as a nation that stands for human rights as we did through our history and bolsters our good will among nations; we, the People and the United States Supreme Court set out with the following purpose.

PURPOSE

1. To design and establish the first template for an independent[381] domestic mechanism and framework and process for: a) preventing violations of human rights; b) investigating violations of human rights and c) compliance with human rights treaties, human rights principles and the UN Charter; and d) the proper and meaningful accommodation of disabilities in the course of jurisprudence; by the judiciary;
2. To initiate the first investigation of human rights violations and of alleged prohibited acts that violate human rights, by applying the template to create an independent entity that embodies the mechanism, framework and process to investigate the organization, the rules, the policies, the procedures of the courts, the norms of judicial conduct, and judicial administration, and specific judicial conduct; with focus and guidance for efficiency provided by the alleged prohibited conduct; and to provide the independent entity the full cooperation of every identified court and judge through the rank and the respect commanded within the judiciary by this court; and to provide public transparency to the extent possible throughout the investigation;
3. To review and deliberate the findings of the investigation and issue a report on the template and its suitability for a persistent domestic mechanism and framework

[380] In particular, with reference to the UN Istanbul Protocol
[381] and United Nations compliant

and process for the purposes intended; and to enhance its effectiveness as learnings indicate; while ensuring that the entity maintains conformity with International Law and human rights treaties, human rights principles and the UN Charter on an on-going basis;

4. If indicated by the report, for discussion to be held with the Private Attorney General and the Justices of this court about restoration of the full function of this court based on the investigation findings, specifically addressing any finding of wrongdoing by any Justice of this court with every opportunity as appropriate provided to each justice to address issues, and ensuring that the People and their government are sound and intact and publicly seen as being highly legitimate and committed to ensuring justice and human rights;
5. Subject to the report regarding the effectiveness of the template, for the US Supreme court to continue to fund and maintain the enhanced independent entity while the Private Attorney General pursues establishing the enhanced independent entity independently of the US Supreme court and as a feature of government for the benefit of the People;
6. Subject to the report regarding the effectiveness of the template, for the Private Attorney General to pursue means to establish the persistence of the independent mechanism, framework and process; by actions including but not limited to, recommendation to Congress for a budget and resources and legislation, and by actions in concert with the United Nations, and by expansion of the scope of function of an existing government funded body, or by other means; for the establishment and persistence of an independent body and center of excellence for maintaining and evolving this independent domestic mechanism and framework and process for the purpose of preventing and investigating human rights violations, and for remedy and relief; and to provide for its nationwide availability in a distributed fashion based on need; and to endow it with authority to guide, monitor and correct jurisprudence by recommendation to this court in the event of human rights violations[382];
7. Subject to the report regarding the effectiveness of the template, to ensure that the membership of this independent domestic mechanism and framework and process for preventing and investigating human rights violations is open to all individuals,

[382] Including discrimination based on disability

without discrimination and without constraints on geography or nationality or any other protected characteristic, including disability, with suitable personal qualities that will distinguish their impeccable service to human rights under their membership;

8. To ensure that a template that embodies the mechanism, framework and process for determination of meaningful and appropriate disability accommodation in the courts for the course of litigation is available in every court according to a determination based on science and medicine by an independent body of qualified persons and medical experts, and is endorsed by this court to be used by judges throughout this nation in ensuring accommodations and safe harbor to every disabled litigant.

INITIAL STEPS:

With the consent and endorsement of Justice Elena Kagan on behalf of the United States Supreme Court, and with the consent and endorsement of the Private Attorney General, for a formal invitation to be made to the following experts[383], requesting initial assistance for Justice Elena Kagan and the Private Attorney General, and others as agreed between them, with establishing[384] the template for a mechanism, framework, and process[385] for an investigation pursuant to the United Nations Istanbul Protocol into judicial conduct:

- Claude Heller, Chair of the United Nations Committee Against Torture
- Alice Jill Edwards, United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

[383] And/or their nominees or substitutes, to be agreed between Justice Elena Kagan and the Private Attorney General and the nominees herein named

[384] The United States has no domestic mechanism, framework or process that meets with the well-developed mechanism, framework and process promulgated by the UN and through its Istanbul Protocol and through the expertise of the personnel involved with the United Nations bodies on human rights. Therefore, for rapid and high-quality results, a transfer of standards, approach, knowledge, expertize, and lessons-learned is advantageous to efficient and rapid establishment of a domestic mechanism, framework and process to assist our judges and courts in delivering on their constitutional mandates and regaining legitimacy that is dangerously in decline. Since no domestic mechanism, framework or process exists for investigating human rights violations in jurisprudence, it is very important that established national perspectives on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which may be advocated by domestic 'experts' on torture, be re-examined upon the domestic establishment of a mechanism, framework and process that is compliant with International Law, and compliant with best practices recognized under International Law.

[385] and specification for personnel and resources and reports, and the designation of the initial personnel, and other advice

- Mary Lawlor, United Nations Special Rapporteur on the situation of human rights defenders
- Suzanne Jabbour, Chairperson, United Nations Subcommittee on Prevention of Torture
- Heba Hagrass, United Nations Special Rapporteur on the rights of persons with disabilities

The steps of establishing and conducting the investigation to be funded, as necessary, by an initial budget established by the United States Supreme Court[386], and subsequently from other funding sources for the purpose of independently fostering national excellence in jurisprudence with respect to judicial compliance with human rights treaties as a fundamental aspect of judicial office and "good Behaviour"[387].

The initial steps to be taken with the goal of fostering and maintaining the interest, involvement and cooperation of appropriate international experts[388] in International Law and torture and human rights, and the periodic transfer of expertize and education to independent domestically accessible experts and investigators to be specified, in order to create a persistent independent[389] domestic body of excellence within the United States[390] to cultivate, implement, archive, educate and accommodate best practices.

The initial steps to also result in the immediate availability of a template for a mechanism and framework and process creating a tribunal[391] for the independent determination of

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[386] But with complete independence of the framework, process and all associated personal, and the investigation itself, from the United States Supreme Court or any government entity.
[387] and the realization and securing and confirmation of best practices by the American judiciary that the world may follow, and for the United Nations to use as a reference model for education elsewhere.
[388] It benefits this nation if international experts feel a desire and interest in assisting this nation in holding and evolving best practices that may be then used to stimulate and benefit the rest of the world in return, and permit the United Nations to refer to the American judiciary as an ethical and human-rights-compliant reference model for other nations.
[389] The judiciary must not be permitted to police itself with respect to human rights, or have any influence or control over such a body, nor must Separation of Powers be compromised
[390] With very strong involvement and representation by persons with disability and persons who have experienced the limitations of jurisprudence while sick or disabled, and who must at all times hold the purpose and intention that their service must dedicated to achieving the highest possible standards for jurisprudence while ensuring that the judiciary can practically and effectively administer justice for all without too much burden, while impeccably respecting and protecting human rights of litigants in the courts and within other mechanisms for ensuring justice.
[391] See ECF 6,7,8 in 24-3353 in the Ninth Circuit court of Appeals, and ECF 5,6,7 in 24-6312 in the Ninth Circuit court of Appeals. A body for human rights protections and investigation and compliance may naturally provide the necessary resource for disability accommodations and safe harbor investigation and compliance.

safe harbor and disability accommodation[392] in courts that is readily available to every court in the United States, and which ensures that the determination of disability accommodation in the course of jurisprudence is based on objective principles and monitored and consistent with human rights requirements.

The initial steps to result in a schedule and a plan for the prompt investigation into the herein allegations.

The invitations for above individuals to be issued as soon as possible, and preferably no later than January 29, 2025.

The next steps after these initial steps to be agreed between Justice Elena Kagan and the Private Attorney General[393] and with a minimum goal of having the mutually agreed initial personnel appointed and authorized by mutual agreement following the process of initial assistance.

Neither any Justice nor the Private Attorney General to permit any conflict of interest to affect the investigation, and for the interest of human rights to be paramount.

ADDITIONAL RECOMMENDATION:

For Justice Kagan to deliberate with her colleagues in this court for the purpose of adding a specific canon to this court's Code of Conduct for discipline and punishment of judges for violations of ethics[394], and also to instill in this nation enormous trust and confidence that human rights are imperative and are in the safest hands when entrusted to the American judiciary by specific mention under ethics. In this manner, to enable the authoritative findings of the independent investigative body to be implemented by the US Supreme Court[395] through enforcement of judicial ethics, including reach outside of this court, especially with respect to discipline and punishment of judges, except criminal punishment which must proceed according to the US Constitution[396].

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[392] consistent with the Freeman Bright Line.
[393] With a provision for replacing the Private Attorney General in the event of sudden death or permanent incapacity.
[394] I refer to the quotation from Justice Clark on Page 13 of this court's Code of Conduct
[395] And later, by lower courts upon adoption of compliant ethics
[396] And which requires respect for International Law.