

Voir Notice

Numéro de dossier

See Notes

File number



EUROPEAN COURT OF HUMAN RIGHTS
COURT EUROPÉENNE DES DROITS DE L'HOMME

Requête
Application

présentée en application de l'article 34 de la Convention européenne des
Droits de l'Homme,
ainsi que des articles 45 et 47 du règlement de la Cour

*under Article 34 of the European Convention on Human Rights
and Rules 45 and 47 of the Rules of Court*

IMPORTANT: La présente requête est un document juridique et peut affecter vos droits et obligations.
This application is a formal legal document and may affect your rights and obligations.

I. Les Parties
The Parties

A. Le Requérant/La Requérante
The Applicant

(Renseignements à fournir concernant le/la requérant(e) et son/sa représentant(e) éventuel(le))
(Fill in the following details of the applicant and the representative, if any)

1. Nom de famille **GALALAE** 2. Prenom(s) **MUGUR KEVIN**
Surname First Name(s)

Sexe : masculin / feminine **Male**
Sex: male / female

3. Nationalité **Canadian/Romanian** 4. Profession **Writer/Consultant**
Nationality Occupation

5. Date et lieu de naissance **XXXXXXXXXXXXXXXXXXXX**
Date and place of birth

6. Domicile **XXXXXXXXXXXXXXXXXXXX**
Permanent address

7. Tél n° **(613) 888-8268**
Tel no.

8. Adresse actuelle (si différente de 6.)
Present address (if different from 6.)

9. Nom et prénom du/de la représentant(e)¹
Name of representative

10. Profession du/de la représentant(e)
Occupation of representative

11. Adresse du/de la représentant(e)
Address of representative

12. Tél n° Fax n°
Tel no. Fax no.

B. La Haute partie contractante
The High Contracting party

(Indiquer ci-après le nom de l'Etat/des Etats contre le(s)quel(s) la requête est dirigée)
(Fill in the name of the State(s) against which the application is directed)

13. **The United Kingdom**

¹ Si le/la requérant(e) est représenté(e), joindre une procuration signée par le/la requérant(e) et son/sa représentant(e).
If the applicant appoints a representative, attach a form of authority signed by the applicant and his or her representative.

PLEASE DETACH THIS FORM BEFORE RETURNING IT

SUMMARY

The Government of the United Kingdom, in collaboration with select university departments and the Qatar Foundation, operates a covert and illegal program of *surveillance and censorship* of the academic environment (henceforth referred to as **SAC**) that is secretly enabled by the Prevent strand of CONTEST: *The United Kingdom's Strategy for Countering International Terrorism*, whose stated first objective is "to challenge the ideology behind violent extremism and support mainstream voices".

In the name of defending Britain's "shared values" and "community cohesion", which are CONTEST's primary goals under the Prevent strand, SAC's operatives, who are imbedded in university courses to masquerade as legitimate students, have engineered my expulsion from Oxford and Leicester, which I attended in 2009 online from my home in Canada, because they deemed my political opinions to be unsuitable to CONTEST's secret directives.

My mistreatment constitutes a breach of freedom of thought and conscience (Article 9), freedom of expression (Article 10), and of the right to education (Article 2 of the First Protocol), and was made possible by the British Government's decision to allow discrimination on political grounds to occur covertly in its universities, which is a breach of Article 14.

The appeals and counter-appeals I made during the adjudication process at Oxford and Leicester universities, at the Equality and Human Rights Commission, the Information Commissioner's Office, and the Office of the Independent Adjudicator have been hampered by the British Government's interference with the course of justice, thus denying me the right to a fair trial (Article 6) and to an effective remedy (Article 13).

To intimidate and prevent me from pursuing justice outside the UK and from exposing the illegal and unethical actions of Britain's universities and secret service agencies to the public, the British Government has cyber attacked my home on three different occasions, destroying the entire contents of my computers, has intercepted my postal mail, has interfered with my electronic communication and blocked my emails, has shut down one of my email accounts, has infected my computer's hard drive with phishing software, has prevented me from peacefully protesting on public land, has colluded with the Government of Romania to deny me the renewal of my Romanian passport, and has shut down my attempts to reach out to legal organizations, the media, NGOs and immigrant organizations in Britain and beyond.

These actions constitute violations of the obligation to respect human rights (Article 1), of the prohibition of abuse of rights (Article 17), of the right to respect for private and family life (Article 8), of freedom of assembly and association (Article 11), and of the right to freedom of movement (Article 2 of the Forth Protocol) with dire consequences for my reputation, health, and wellbeing, causing the destruction of my marriage and the alienation of friends and even family members.

These violations are all the more egregious and reflective of the misguided nature of CONTEST and its progeny SAC, since I am neither Muslim nor Arab, and, in fact, not only have no fundamentalist views of any kind, but am agnostic by conviction, apolitical, non-ideological, and have never resorted to violence. This means that my treatment cannot be justified by national security prerogatives, especially since I gave the Government of the UK several opportunities to address my grievances away from the public light.

I hereby request an expedited assessment of my pleading's merit, on account of the danger my family and I are subjected to due to possible further retaliatory measures by the British secret service, the Qatari intelligence agency, which is implicated in my expulsion from Leicester University, and the many vested interests and forces at the EU level and beyond that wish to safeguard the secrecy and existence of SAC.

The European Court's assessment team will, I hope, consider that the British Government has not only violated nearly every human and fundamental right I have both as a Canadian and Romanian citizen, it has also defanged the institutions of civil society, corroded the legal system, and silenced the media in order to prevent me from exposing its illegal and covert program of surveillance and censorship of the academic environment.

Since the country of my birth, Romania, and my current country, Canada, as indeed the entire Western world, are acting as a block and assisting Britain in covering up the existence of SAC, I find myself in the unenviable position of having nowhere to turn to for help and justice.

The European Court of Human Rights is my last resort, which is why I cannot and will not leave Strasbourg without a court date.

II. Exposé des faits1 *Statement of the Facts*

(Voir § 19 (b) de la notice)
(See § 19 (b) of the Notes)

14.

II.1. The Government of the United Kingdom, in collaboration with select university departments, operates a covert and extrajudicial program of *surveillance and censorship* of the academic environment (henceforth referred to as **SAC**) that is secretly enabled by the Prevent strand of CONTEST: *The United Kingdom's Strategy for Countering International Terrorism*, whose stated first objective is “to challenge the ideology behind violent extremism and support mainstream voices”.

II.2. SAC works by circumventing, ignoring or blatantly violating both national and international laws. Government agents operating from within and outside the country – should the course be offered virtually - are assigned to specific universities where they enrol in programs and courses as regular students, paying tuition fees out of pocket. This allows universities to play innocent should anyone cry foul and to avoid legal repercussions for violating privacy rules, data protection laws, expressional rights, freedom of conscience, education law and the trust of their students. Once embedded, the spies masquerade as legitimate students while secretly collaborating with the course tutors.

II.3. In the name of defending Britain's “*shared values*” and “*community cohesion*”, which are CONTEST's primary objectives, the embedded SAC agents gather information on students, test their allegiance to the system, assist the course tutors in deflecting and diverting the discussions away from subjects the government deems taboo when the opinions expressed by students run counter to Britain's foreign or domestic policies, manipulate and coerce students into toeing the politically correct line, manufacture consent and, should that fail, provoke students to commit netiquette breaches or simply create an environment so harassing as to cause targeted students to quit their studies of their own accord. The overall effect is to brainwash the young and the impressionable to hold biased views in line with the British Government's foreign and domestic policies and to squash dissenting opinions that challenge the status quo before they reach a larger audience. Whether deliberate or accidental, the Government of the UK imposes positions that are contrary to reason, factually incorrect, and antithetical to the values, background and experience of foreign and even domestic students, positions that fly in the face of academic freedom, violate free speech and cause the retreat of reason, endemic dishonesty, and the corruption of public debate; enchainning intellectual discourse and political analysis to preconceived notions derived from a toxic mix of political correctness, manufactured consent and hidden agendas. As a result, entrenched discrimination towards foreigners who do not share British values, and/or natives who do not accept received wisdom and collective denial, and who do not show unquestioned respect for British institutions and policies, or who dare diverge from accepted beliefs, is the order of the day in British universities that collaborate with the government in SAC and allow government agents to define the terms and parameters of intellectual debate.

II.4. On the 3rd of June 2009, six weeks into a ten-week online Political Philosophy course offered by Oxford's Continuing Education Department, which I attended from my home in Canada, I was expelled for allegedly breaching netiquette. From the very beginning, I maintained that my expulsion was not only unfair but also motivated by ulterior motives and have appealed it. Subsequent evidence has revealed that I was subjected to a premeditated attack by the course tutor, Dr. Giovanni De Grandis, the embedded SAC agent, Ivor Middleton, and agent-in-training, Gloria Portella, who had decided that my views are unwelcome at Oxford and

then took the liberty to devise a legally palatable way to run me out of the course. They achieved this by posting an inflammatory and leading question in the common room inviting equivocation and then insinuating that my long posts had prevented others from participating in the course. When I took issue with this notion and defended myself against their accusations and attempt to scapegoat me for invented offenses, I was rebuked for breaching netiquette and was not only immediately shut out of the course but also, a fact at the time unknown to me, barred from ever attending Oxford University.

II.5. The subsequent appeals I made to Oxford's various internal adjudicating bodies – namely, in the following order, to the Director of Public Programmes, the Director of the Continuing Education Department, the Proctors Office, and finally to an interdepartmental Disciplinary Panel convened by the Senior Proctor, a process that lasted nearly seven months, from 26 June 2009 to 18 January 2010, and that properly ended only when the OIA compelled Oxford to issue a Completion of Procedures Letter, which occurred 31 March 2010 – revealed systemic obstruction of justice, bad faith, withholding of evidence, delayed release of evidence, selective release of evidence, misrepresentation of facts, false depositions, and repeated and flagrant violations of the university's rules and regulations so as to hide Oxford's complicity in SAC and conceal the fact that my expulsion from the course was a direct result of the government's covert surveillance and censorship of Oxford's academic environment. The Disciplinary Panel, Oxford's final adjudication authority in my case, convened its meeting and held its deliberations in my absence and despite my objections that I had not been allowed to present my defence, which was promised to me by the Senior Proctor, and found that I should not have been excluded from the course and that my expulsion was "*disproportionately severe*", but failed to compensate me beyond the already reimbursed tuition fees or give me the opportunity to finish the course. I thus decided to take my case to England's highest adjudication authority, the Office of the Independent Adjudicator (OIA), whose remit is to consider complaints that have first been taken through the procedures of a Higher Education institution's own internal system without reaching a satisfactory conclusion in the view of the complainant. **Oxford time frame: 3 June 2009 – 31 March 2010 (nearly ten months)**

II.6. Although Oxford tried to prevent me from taking my case to the Office of the Independent Adjudicator (OIA) by repeatedly refusing to issue a Completion of Procedures Letter and then by questioning the OIA's jurisdiction, I nonetheless succeeded in referring my case to the OIA on 4 February 2010 and the OIA accepted my appeal and assigned case handler Siobhan Hohls to my complaint file (OIA/08877/10) in April 2010. On 1 November 2010, after unusual and conspicuous delays on both the OIA's and Oxford's part, Oxford finally provided its representations to the OIA in respect to my complaint. On 12 December 2010, I presented my rebuttal to the OIA. The OIA issued its Draft Decision on 21 December 2010, despite the fact that Oxford compromised the OIA's decision-making process by failing to provide the minutes of the Disciplinary Panel's meeting, choosing to keep them secret while pretending that they do not exist. I issued a response to the OIA's Draft Decision on 22 December 2010, voicing my deep dissatisfaction. The OIA issued its Formal Decision on 20 January 2011, which found my complaint against Oxford to be "*partly justified*" due to minor regulatory breaches on Oxford's part, but exonerated Oxford of any serious wrongdoing, deliberately overlooked and made no mention of SAC and of Oxford's complicity in SAC, went out of its way not to connect SAC with my expulsion, and failed to offer proper compensation, or to take Oxford to task for withholding the minutes of the Disciplinary Panel meeting. **OIA time frame for complaint against Oxford: 4 February 2010 – 20 January 2011 (eleven and a half months)**

II.7. The Political Philosophy course I attended at Oxford was to be a warm-up to a two-year Masters program in International Relations and Global Order to which I had been accepted by the University of Leicester and that I subsequently began in October, 2009. On 18 November 2009, eight weeks into the first ten-week module of the Masters in International Relations and Global Order programme at Leicester University, I was forced to withdraw. Mr. Nick Wright,

the course tutor, deliberately marked down my assignments as soon as it became obvious that my socio-political analyses and my political philosophy clashed with the dictates of CONTEST. From an A student I became an F student. It is unclear to what extent SAC's embedded agent, Carla Liuzzo – who operates from Doha, Qatar, and works for the Qatar Foundation, which is a front for the Qatari secret service – was involved in Leicester's decision to force me to quit the program by unfairly evaluating my assignments.

II.8. My attempts to seek a fair evaluation of my work and a persecution-free environment for my contributions to the discussion forums went unheeded. As at Oxford, Leicester's academics and administrators have lied on record, have acted in bad faith, and have denied me recourse to the university's highest adjudication body in order to hide the university's complicity in SAC. Several adjudicators (i.e. the Director of Distance Learning, the Head of the Department of Politics and International Relations, and the Pro-Vice Chancellor, in this order) refused to admit any bias in the way my assignments and work were evaluated by the course tutor and his colleagues, despite their flagrant lack of objectivity and fairness. This was the university's way to show me the door without openly expelling me from the course, which would have exposed the university to easily provable accusations of censorship and breaches of education law. It is thus Leicester and SAC put an end to my decade-long dream of studying International Relations and to five years of financial preparations and career adjustments in order to be able to enrol in the Masters program.

II.9. At first, I thought that Leicester University's Department of Politics and International Relations is narrow and ideological and does not tolerate dissenting views. In time, however, I came to understand that the prerogatives of CONTEST – *The United Kingdom's Strategy for Countering International Terrorism* – trump academic freedom and are used to purge Leicester University's academic environment of ideas and ideals that are deemed to threaten Britain's "shared values" and "community cohesion". In this politicised and censored environment informed debate is not possible and given my family's background – my parents left communist Romania in the 1980s and abandoned their careers and lives in order that their children may live in freedom in the West – I had no choice but to act according to my conscience and quit the program. **Leicester time frame: 18 November 2009 – 28 April 2010 (over five months)**

II.10. Although Leicester University tried to prevent me from taking my case to the Office of the Independent Adjudicator (OIA) by repeatedly refusing to issue a Completion of Procedures Letter, which the University was compelled to do by the OIA on 28 April 2010, I nonetheless succeeded in referring my case to the OIA on 12 April 2010 and the OIA accepted my appeal and assigned case handler Fiona Draper to my complaint file on 9 July 2010. On 26 July 2010, the OIA issued a Preliminary Decision on my complaint against Leicester University. I presented my response to the OIA's Preliminary Decision on 15 August 2010. I took issue with the OIA for failing to answer whether it "*is under a government directive not to investigate complaints about the existence of a covert surveillance and censorship program of the academic environment*", which would have demonstrated its impartiality and independence. I also took issue with the OIA's ill-construed notion that my withdrawal from the course was voluntary; when it clearly rested on conditions imposed on me by the university, conditions that created an atmosphere which made it impossible for me to continue either the course or the program, an atmosphere that bordered on harassment and that can only be construed as the result of an escalating and concerted effort to make my participation in the course so unpleasant, and my work so blatantly misevaluated as to force me to quit. The OIA nevertheless issued its Formal Decision on 14 September 2010 and found my complaint against Leicester to be "*not justified*". Its decision is based on material errors, complete disdain for the facts, negligent refusal to consider the existence of SAC at Leicester and its effect on my expulsion, and suspicious willingness to overlook any and all regulatory and procedural breaches and violations committed by Leicester before and after my expulsion, all of which I have documented in my response to its

Preliminary Decision. OIA time frame for complaint against Leicester: 12 April 2010 – 14 September 2010 (just over six months)

Against the background of my expulsion from and appeals to Oxford University, Leicester University and, subsequently, the OIA, the following events occurred:

II.11. Once I became aware of the existence of SAC and of the risks that the British and Qatari intelligence agencies, who had been empowered by their governments to act outside the law, posed to me and my family, I sought the protection of the Royal Canadian Mounted Police. At the end of February 2010, I met with Detachment Commander Andy Harbour to alert him of the possibility that harm may come to me or my family as a result of my efforts to expose Britain's illicit spy program on its universities, and that though this possibility is remote he should be aware of who may be behind potential reprisals. He was very sympathetic and promised to keep an eye on me, but could not offer any official protection, which indeed I did not request. He suggested I contact the media.

II.12. My efforts to get the British, Canadian or Western media to publish my evidence on SAC, which is an ongoing process that began in March 2010, failed. Had I succeeded in getting public exposure, it would have provided a level of security for me and my family since the public's knowledge would have deterred the British and Qatari security agencies from attempting to harm me. D-Notices in Britain and self-enforced censorship in Western media, fuelled by widespread racist sentiments and/or fear of Muslim fundamentalists appear to be the reasons why no one in the West is willing to publish the truth about SAC. In April 2010, however, I did succeed in publishing my "Open Letter" in the Romanian magazine "Flacara lui Adrian Paunescu", partly due to personal family connections to the editor and owner of the magazine.

II.13. My appeals and petitions for help to various human rights and legal organisations and to Canadian politicians, which I launched in April 2010 and are ongoing, have also fallen on deaf ears. The marginalization I experienced as a result of seeking justice and exposing SAC, only raised the level of anxiety and disappointment for me and my wife and marks the beginning of serious problems in our marriage. It has also spelled the end of my relationship with my older brother, who is a German citizen, and several friends, both in Canada and abroad, who appear to be afraid of the forces behind SAC and would rather distance themselves from me than suffer dire repercussions.

II.14. In May 2010, this marginalisation and discrimination reached a peak when the Romanian embassy in Ottawa, most likely at the request of the British Government, refused to renew my Romanian passport (I have dual citizenship, Romanian and Canadian) and told me in no uncertain terms that I may not even be a Romanian citizen anymore, but failed to explain why.

II.15. Alarmed at the level of repression I was experiencing and at the reluctance of civil society throughout the western world to condemn SAC and the multiple violations of my human rights, I decided to go on hunger strike. I first asked Oxford and Leicester universities to grant me permission to hunger strike on their campuses, but they both refused. I then requested permission to hunger strike on public land from the Oxford and Leicester police constabularies and they not only refused to grant it, but also issued veiled threats that my protest would infringe unnamed laws and that British immigration will want to have a word with me if I enter the UK. Unable to protest in the UK, I then sought permission to protest on the grounds of the residence of Canada's Governor General, the Queen's representative in Canada, but she too refused to grant it. Finally, I was given permission to hunger strike on Canada's Parliament in Ottawa. To my dismay, the leaders of Canada's political parties ignored my pleas for help, as did the Canadian media, throughout the duration of my hunger strike, which, due to health problems my wife experienced at the time (she was nine months pregnant) I had to cut short after only four

days (June 1-4). My second son was born five days later, on 9 June 2010, and I was not able to resume the hunger strike.

II.16. Over the course of the last twelve months, I have suffered three cyber attacks that have disabled my computers, damaged their contents, disrupted my work and caused me great material losses. Two of these attacks have succeeded in completely erasing my computer files. Had I not saved them on external hard drives most of the evidence I had collected on SAC would have been destroyed. While I cannot prove it, these cyber attacks could have only come from Britain's security agencies with the aim of intimidating me and destroying the evidence.

II.17. Over the course of the past twelve months, my electronic communication has been routinely intercepted and tampered with. I have been prevented from contacting a variety of media, immigrant, legal, and Muslim organisations, so much so that in order to ascertain whether or not my emails reach their destination I have had to end them with the request that the recipient acknowledged receipt and with an explanation as to why this is necessary. The British secret service has for all intents and purposes electronically imprisoned me, ensuring that even email accounts I opened from the public library are shut down within a day or two. It has even disrupted my electronic (and perhaps even telephone) communication with family and friends.

II.18. I have evidence that my postal mail has been intercepted and delayed on one occasion, a file from the OIA, which represents a clear and unnecessary violation of the right to privacy and was meant solely to ensure that Oxford does not release any evidence on SAC and that justice is delayed and denied.

II.19. Having exhausted national authorities and national and international NGOs, I appealed for justice to the European Community and the United Nations. My letter to the European Commissioner for Education, Androulla Vassiliou, was answered by none other than Mr. Martin Schieffer, the Acting Head of Unit F1 (Fight against Terrorism), of the Directorate-General for Home Affairs, who confidently informed me that the violations of fundamental rights I allege have no link to European Union law and that the EC has therefore no power to intervene and that I should seek redress at the national level through the competent authorities, including the courts. I fared even worse with Dr. Martin Scheinin, the UN's Special Rapporteur on the Promotion and Protection of Human Rights while Countering Terrorism, who never even bothered to reply to my repeated entreaties, let alone do anything about it.

II.20. My subsequent enquiries and investigation have revealed that the EC has adopted Britain's SAC through the Stockholm Programme and that it has begun implementing it Europe-wide in 2010. I have exposed this in my article "*The Great Secret: Surveillance and Censorship in Britain and the EU*", which I wrote in April 2010 and succeeded in publishing on the Internet a few months later, first on Cryptome and then on Wikispooks, and which in the meantime has found its way as far afield as China, but still no mention of SAC in the mainstream media.

II.21. On 8 February 2011, I collapsed, lost consciousness for several minutes and had a seizure due to pneumonia aggravated by stress and exhaustion from 18 months of conflict with Britain and chronic sleep deprivation. I was taken to the hospital by ambulance and kept there for observation. I am still recovering as I write this pleading two weeks later.

II.22. The stress the British Government has subjected me to has most recently caused the destruction of my family. Unable to bear the stress, anxiety, surveillance and repression the Government of the UK has unleashed on us, and the innumerable hours and nights I have had to dedicate to the struggle for justice for the past 20 months, my wife has chosen to separate from me on 21 February 2011. I am writing this pleading from a hotel room.

III. Exposé de la ou des violation(s) de la Convention et/ou des Protocoles alléguée(s), ainsi que des arguments à l'appui
Statement of alleged violation(s) of the Convention and/or Protocols and of relevant arguments

(Voir § 19 (c) de la notice)
(See § 19 (c) of the Notes)

15.

III.1. The Government of the UK has violated Article 1 of the European Convention, the obligation to respect human rights for “*everyone within their jurisdiction*”, in causing and/or facilitating breaches of my right to freedom of expression; right to education; right to a fair trial; right to an effective remedy; right to respect for private and family life; freedom of thought, conscience and religion; prohibition of discrimination; and prohibition of abuse of rights.

III.2. The Government of the UK has violated Article 10 of the European Convention, freedom of expression, which states clearly that “*this right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers*”. Covertly embedding government operatives in university programs to masquerade as regular students while in fact performing surveillance and censorship functions on behalf of foreign and domestic secret service agencies and in line with CONTEST’s directives to purge the academic environment of ideas and ideals that are deemed to threaten Britain’s “*shared values*” and “*community cohesion*”, constitutes a clear and gross violation of Article 10. The graduated attempt by Oxford and Leicester universities to coerce me to hold views that are antithetical to reason and to my own experience and values, and that are politically motivated and covertly enforced, followed by my expulsion from Leicester and Oxford on manufactured grounds, are the direct results of the UK Government’s illegal and unethical SAC program. As a foreign citizen, participating in online studies in British universities from my own country, Canada, I can neither be expected to know nor to adhere to Britain’s “*shared values*” and “*community cohesion*”, especially since these requirements are imposed in secret, without disclosure, and without my knowledge. It is therefore not only absurd but also patently unfair to be expected to adhere to something that I have no knowledge of and without being explicitly told in advance that I must do so in order to study in a British university.

III.3. The Government of the UK has violated Article 9 of the European Convention, freedom of thought, conscience and religion, which states that “*Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*” The SAC operatives’ attempt to coerce and intimidate me to hold views that are contrary to my conscience and thoughts, and my expulsion when I refused to submit to manipulation and coercion, constitute a clear violation of my freedom of thought and conscience, especially since this occurred in an educational environment where the pursuit of truth and freedom of thought and conscience are sacrosanct and must be actively defended and promoted.

III.4. The Government of the UK has violated Article 14 of the European Convention, prohibition of discrimination, which states that “*the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground*” including “*political or other opinion, national or social origin, birth or other status*” all of which have played a role in the decision of Britain’s SAC agents to discriminate against me by curtailing my freedom of speech and denying me the right to education.

III.5. The Government of the UK has violated Article 6 of the European Convention, right to a fair trial, which upholds that “*everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law*”. The adjudication of my case at the university and OIA levels has not been fair and has not been carried out within a reasonable time because the Government of the UK has hamstrung the independence and impartiality of both the university authorities and the OIA, by elevating the need to keep SAC secret and the prerogatives of CONTEST above human rights under the pretext of national security, and even though I have never presented a threat to Britain’s national security but merely exercised my conscience and free speech in an academic environment where my thoughts, ideas and analyses were requested by the course tutors and elicited in written assignments and discussion forums. Furthermore, the Government of the UK has imposed a see no evil, hear no evil attitude on civil society and the legal system, so much so that any and all attempts I made to bring my case to a court of law has been blocked. Lawyers and law societies in Britain and Canada have not only refused to take my case, they have not even had the decency, or have been prevented, to acknowledge my emails. Even appeals for legal representation that I made on the Internet through websites like JustAnswer.com have been shut down by the Government of the UK in order to prevent me from challenging SAC and my mistreatment in a court of law.

III.6. The Government of the UK has violated Article 8 of the European Convention, the right to respect for private and family life, which states that “*there shall be no interference by a public authority*”. The cyber attacks I have suffered, the phishing software the Government of the UK has installed in my computers, the interception of my electronic communication, telephone conversations and postal mail, represent clear and egregious violations of Article 8, which states that “*everyone has the right to respect for his private and family life, his home and his correspondence*”, and that cannot be excused by the pretext that I ever posed a threat to Britain’s national security.

III.7. The Government of the UK has violated Article 11 of the European Convention, freedom of assembly and association, which safeguards the right to peaceful protest. In order to prevent me from protesting my mistreatment by Oxford and Leicester and the violation of my rights by SAC’s operatives, both Oxford and Leicester refused to grant me the right to protest on their campuses. The Government of the UK has prevented the police constabularies of Oxford and Leicester from granting me the right to protest on public land. Last, Canada’s Governor General has denied me the right to protest on the official property, which is located on Canadian soil.

III.8. The Government of the UK has violated Article 13 of the European Convention, the right to an effective remedy, which states that “*everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity*”. The fact that the OIA has refused to answer whether or not is under a government directive not to investigate allegations of surveillance and censorship of the academic environment, and that it has proceeded to issue a decision in bad faith and in conflict of interest in order to assist the Government to cover up the existence of SAC, shows that the Government of the UK has prejudiced the nation’s highest adjudication authority for complaints against universities.

III.9. The Government of the UK has violated Article 17 of the European Convention, prohibition of abuse of rights, which denies States the right to “*engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth [in the Convention] or at their limitation to a greater extent than is provided for in the Convention*”. Having at no point in time posed a threat to the security or morals of the UK, the violations I have suffered represent an abusive and unjustifiable overreaching by the Government of the UK well beyond the limitations and to a greater extent than provided for in the Convention. Given that the Government of the UK has violated a number of my human rights for the sole purpose of covertly and illegally enforcing objectives that are unethical, in an environment where freedom

of speech, thought and conscience must be actively defended and promoted, and that it then violated my right to a fair trial, effective remedy, and respect for private and family life, for the purpose of covering up the existence of SAC and preventing me from exposing SAC, the Government of the UK has not just failed to abstain from the prohibition of abuse of rights, it has consciously chosen to do so in order to cover up and perpetuate the existence of the SAC program that it well knows to be illegal.

III.10. The Government of the UK has violated Article 2 of the First Protocol (the Paris Protocol) to the European Convention, the right to education, which clearly states that “*no person shall be denied the right to education*”. In trying to impose the objectives of CONTEST upon HEIs, and in the process instituting a covert regime of surveillance and censorship of academia, the Government of the UK has allowed itself to violate my right to education and has devised a hidden mechanism to expel students whose philosophical convictions it deems to be in violation of Britain’s “*shared values*” and “*community cohesion*”.

III.11. Though not a signatory to the Fourth Protocol, The Government of the UK has violated Article 2 of the Fourth Protocol (the Strasbourg Protocol) to the European Convention, the right to freedom of movement. There is evidence to suggest that the Government of the UK has requested from the Government of Romania to deny me the renewal of my Romanian passport and even to suggest that I am no longer a Romanian citizen. This represents a clear violation of my right to freedom of movement. Under no circumstances can my actions be shown to have necessitated the violation of my right to free movement for the “*interests of national security, the maintenance of ordre public, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others*”.

III.12. Though not a signatory to the Twelfth Protocol, The Government of the UK has violated Article 1 of the Twelfth Protocol (the Rome Protocol) to the European Convention, the general prohibition of discrimination, which states that “*the enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*”. The discrimination I have suffered and the multiple violations of my rights can be shown to have been motivated and enabled primarily though not exclusively by the British Government’s CONTEST strategy decision to elevate “*shared values*” and “*community cohesion*” above the right not to be discriminated against for one’s “*political or other opinion*”.

IV. Exposé relatif aux prescriptions de l'article 35 § 1 de la Convention 1 ***Statement relative to article 35 § 1 of the Convention***

(Voir § 19 (d) de la notice. Donner pour chaque grief, et au besoin sur une feuille séparée, les renseignements demandés sous les points 16 à 18 ci-après)
(See § 19 (d) of the Notes. If necessary, give the details mentioned below under points 16 to 18 on a separate sheet for each separate complaint)

16. Décision interne définitive (date et nature de la décision, organe – judiciaire ou autre – l'ayant rendue)

Final decision (date, court or authority and nature of decision)

On 13 September 2010, the Office of the Independent Adjudicator (OIA) issued its Formal Decision on my complaint against Leicester University (OIA/09223/10), which it found to be “*not justified*”.

On 20 January 2011, the Office of the Independent Adjudicator (OIA) issued its Formal Decision on my complaint against Oxford University (OIA/08877/10), which it found to be “*partly justified*”.

17. Autres décisions (énumérées dans l'ordre chronologique en indiquant, pour chaque décision, sa date, sa nature et l'organe – judiciaire ou autre – l'ayant rendue)

Other decisions (list in chronological order, giving date, court or authority and nature of decision for each of them)

Decisions pertaining to Oxford:

1. On 9 June 2009, Philip Healy, Director of Public Programmes, upholds the decision taken by Dr. De Grandis, Claire Kelly and Marianne Talbot to expel me from the course
2. On 23 June 2009, Professor Jonathan Michie, Director of the Continuing Education Department, does not support my appeal and upholds the expulsion.
3. On 27 July 2009, Professor Martin S. Williams, Senior Proctor, reaches the determination that the Department of Continuing Education “*has not followed appropriate procedure in considering [my] appeal*” and “*that it should now do so by convening a Disciplinary Panel*”.
4. On 7 September 2009, the Disciplinary Panel (composed of Professor C. Gosden, member of the Continuing Education Board, Dr. A. Hawkins, Deputy Director of International Programmes, and Dr. Peter Gamble, Secretary of the Continuing Education Board) found that Kevin Galalae did breach netiquette but that the decision to remove him from the course for this offence was “*disproportionately severe*”.
5. On 27 April 2010, the Equality and Human Rights Commission (EHRC), refuses to assist me in taking my claim (EHRC reference: 1-6972703) against Oxford further.
6. On 12 November 2010, the Information Commissioner's Office (ICO), finds in the case of my complaint (Ref. RFA0295154) “*that it is unlikely that the University of Oxford has complied with the requirements of the DPA [Data Protection Act]... “because the University of Oxford failed to respond to your subject access request within the statutory timescale of 40 days provided by the DPA*”. It concluded, however, “*that further*

regulatory action is not appropriate at this time". To date, the ICO has failed however to address my complaint that Oxford and Leicester are engaged in a covert program of surveillance and censorship of the academic environment run in collaboration with Britain's secret service agencies and, in the case of Leicester University, assisted by the Qatari secret service, a program that violates many aspects of the Data Protection Act and personal privacy.

7. On 21 December 2010, the OIA issued its Draft Decision on my complaint against Oxford University, which it found to be "*partly justified*".

Decisions pertaining to Leicester:

1. On 20 November 2009, Dr. Rofe, Director of Distance Learning, decided that my assignments were evaluated fairly by his colleague, Nick Wright, the tutor of the course.
2. On 4 January 2010, Professor Phythian, Head of the Department of Politics and International Relations, upheld the decisions of his colleagues in regards to the way my assignments were evaluated and refused to grant me the full refund I had requested.
3. On 1 February 2010, Professor Murphy, Pro-Vice-Chancellor and Head of the College of Social Science, rendered her verdict and found none of the seven points I raised to have merit. Nonetheless, she authorised a full refund.
4. On 17 February 2010, Leicester refused to grant me the right to have my appeal heard by the university's highest adjudicating authority, the Senior Pro-Vice-Chancellor's Office, and informed me that no further appeal avenue is open to me, while also threatening me with legal action if I continue to communicate my findings to my fellow students and with removal by police if I attempt to hunger strike on the university campus.
5. On 26 July 2010, the OIA issued its Preliminary Decision on my complaint against Leicester University, which it found to be "*not justified*".

18. Dispos(i)ez-vous d'un recours que vous n'avez pas exercé? Si oui, lequel et pour quel motif n'a-t-il pas été exercé?

Is there or was there any other appeal or other remedy available to you which you have not used? If so, explain why you have not used it.

No other appeal or remedy is available to me in Britain. Furthermore, even if there had been, I would not have tried to avail myself of it since the impartiality and independence of Britain's legal system and the nation's organizations of civil society have been prejudiced by government intrusion in a heavily politicized environment that discourages any real investigation and hinders the administration of justice if the nation's ill-construed effort to combat terrorism is in any way jeopardised or even criticised, and if covert and extrajudicial programs like SAC are in danger of being exposed.

V. Exposé de l'objet de la requête
Statement of the object of the application

(Voir § 19 (e) de la notice)
(See § 19 (e) of the Notes)

19.

The object of this application is to prove in a court of law that the Government of the UK operates a covert surveillance and censorship program of the academic environment that is illegal and unethical and whose operatives have engineered my expulsion from Oxford and Leicester in order to prevent me from exercising the right to free speech and the right to freedom of thought and conscience as a result of legislation that allows discrimination on political grounds and that has led to the violation of my right to education. Subsequently, the Government of the UK, in order to hide SAC from being exposed, has denied me the right to a fair trial and the right to effective remedy by prejudicing the internal adjudication of universities and the independence and impartiality of the OIA. Last, the Government of the UK has allowed its intelligence agencies to intimidate me so as not to reveal the truth about SAC and to apply pressure by denying me freedom of movement, by violating my private and family life, and my right to protest. These actions show that the Government of the UK has failed to respect the prohibition of abuse of rights, the general prohibition from discrimination, and has failed in its obligation to respect human rights. I therefore seek reparation and compensation for the damage done to my academic reputation, intellectual reputation, and consequently to my professional credibility as a writer/consultant. I also seek full reparation and compensation for the hardship I suffered, hardship that has placed tremendous strain on my marriage and led to its dissolution, on my time and resources, on my ability to fulfill my duties as father and the consequent hardship to my sons, on my ability to meet the demands of my work, and on my physical health and state of mind. I also seek full compensation for the humiliation of being treated unjustly and with prejudice.

VI. Autres instances internationales traitant ou ayant traité l'affaire
Statement concerning other international proceedings

(Voir § 19 (f) de la notice)
(See § 19 (f) of the Notes)

20. Avez-vous soumis à une autre instance internationale d'enquête ou de règlement les griefs énoncés dans la présente requête? Si oui, fournir des indications détaillées à ce sujet.

Have you submitted the above complaints to any other procedure of international investigation or settlement? If so, give full details.

As explained above, in paragraph II.19, having exhausted national authorities and national and international NGOs, I appealed for justice to the European Community and the United Nations. My letter to the European Commissioner for Education, Androulla Vassiliou, was answered by none other than Mr. Martin Schieffer, the Acting Head of Unit F1 (Fight against Terrorism), of the Directorate-General for Home Affairs, who confidently informed me that the violations of fundamental rights I allege have no link to European Union law and that the EC has therefore no power to intervene and that I should seek redress at the national level through the competent authorities, including the courts. I fared even worse with Dr. Martin Scheinin, the UN's Special Rapporteur on the Promotion and Protection of Human Rights while Countering Terrorism, who never even bothered to reply to my repeated entreaties, let alone do anything about it.

VII. Pièces annexées pas d'originaux, uniquement des copies ; prière de n'utiliser ni agrafe, ni adhésif, ni lien d'aucune sorte)

List of documents

(no original documents, only photocopies, do not staple, tape or bind documents)

(Voir chapitre § 19 (g) de la notice. Joindre copie de toutes les décisions mentionnées sous ch. IV et VI ci-dessus. Se procurer, au besoin, les copies nécessaires, et, en cas d'impossibilité, expliquer pourquoi celles-ci ne peuvent pas être obtenues. Ces documents ne vous seront pas retournés.)

(See § 19 (g) of the Notes. Include copies of all decisions referred to in Parts IV and VI above. If you do not have copies, you should obtain them. If you cannot obtain them, explain why not. No documents will be returned to you.)

21.

- a. 9 June 2009, decision of Philip Healy, Director of Public Programmes.
- b. 23 June 2009, decision of Professor Michie, Director of the Cont. Ed. Department.
- c. 27 July 2009, decision of Professor Martin S. Williams, Senior Proctor.
- d. 7 September 2009, decision of the Disciplinary Panel.
- e. 27 April 2010, decision of the Equality and Human Rights Commission (EHRC).
- f. 1 November 2010, Oxford's representations in respect to my complaint
- g. 12 December 2010, my rebuttal to Oxford's representation
- h. 12 November 2010, decision of the Information Commissioner's Office (ICO).
- i. 21 December 2010, OIA's Draft Decision on my complaint against Oxford University.
- j. 22 December 2010, my reply to OIA's draft decision on Oxford complaint.
- k. 20 January 2011, OIA's Formal Decision on my complaint against Oxford.
- l. 20 November 2009, decision of Dr. Rofe, Director of Distance Learning.
- m. 4 January 2010, decision of Professor Phythian, Head of the Department of Politics and International Relations.
- n. 1 February 2010, decision of Professor Murphy, Pro-Vice-Chancellor and Head of the College of Social Science.
- o. 17 February 2010, decision by Leicester University.
- p. 26 July 2010, OIA's Preliminary Decision on my complaint against Leicester University.
- q. 15 August 2010, my response to OIA's Preliminary Decision on Leicester complaint.

- r. 13 September 2010, OIA's Formal Decision on my complaint against Leicester University.
- s. 19 May 2010, letter from Martin Schieffer, European Commission – Directorate General Justice, Freedom and Security.
- t. 24 April 2010, Open Letter, appeal to Canada's politicians and the press.
- u. 25 October 2010, *The Great Secret: Surveillance and Censorship in Britain and the EU*.

VIII. Déclaration et signature
Declaration and signature

(Voir § 19 (h) de la notice)
(See § 19 (h) of the Notes)

Je déclare en toute conscience et loyauté que les renseignements qui figurent sur la présente formule de requête sont exacts.

I hereby declare that, to the best of my knowledge and belief, the information I have given in the present application form is correct.

Lieu

Place **Ottawa, Canada**

Date

Date **25 February 2011**

(Signature du/de la requérant(e) ou du/de la représentant(e))
(Signature of the applicant or of the representative)

Kevin Galalae

PLEASE DETACH THIS FORM BEFORE RETURNING IT