

to Deprive Roberts-Meier Family of Human Rights

PROKURATURA REJONOWA
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ODPIS

Ref. no. 4162-0. Ds. 851.2022

Opole Lubelskie, July 5th, 2022

As always, our appeals to higher authorities in Warsaw against racist antisemitism in the District of Opole Lubelskie end up back in the District of Opole Lubelskie, as if Opole Lubelskie is qualified to judge itself. In this Resolution, Opole Lubelskie even assumes responsibility for speaking on behalf of National bodies in Warsaw. Appeals to Europe follow escalation to Warsaw, but our appeals keep being returned to local levels to prevent them reaching Europe.

RESOLUTION

to refuse to initiate an investigation

Joanna Węgień – assessor of the District Prosecutor's Office in Opole Lubelskie, after reading the files of the verification procedure Ref. no. 4162-0. Ds. 851.2022, conducted from the notification of Gerard Roberts-Meier in the case of offenses under Art. 231 § 1 of the Criminal Code

based on Art. 17 § 1 point 2 of the Code of Criminal Procedure

decided to refuse to initiate an investigation into the cases:

1. failure to fulfill the duties in the period from June 29th, 2021, to May 10th, 2022, by a senior counsel from the President's Emergency Legal Assistance Office due to improper conduct of the proceedings initiated by Gerard Roberts-Meier and failure to take into account the evidence presented by him, which acted to the detriment private interest of the above mentioned aggrieved party, that is the crime under Art. 231 § 1 of the Criminal Code – when it is found that the act does not contain the features of a prohibited act (Article 17 § 1 point 2 of the Code of Criminal Procedure);
2. failure to fulfill the duties in the period from an unspecified date 2015 to May 10th, 2022, by the Ombudsman in Warsaw due to not examining the applications of Gerard Roberts-Meier, which acted to the detriment private interest of the above mentioned aggrieved party, that is the crime under Art. 231 § 1 of the Criminal Code – when it is found that the act does not contain the features of a prohibited act (Article 17 § 1 point 2 of the Code of Criminal Procedure);
3. excess of powers in the period from August 13th, 2020, to May 10th, 2022, in Warsaw by the Chief Surveyor of the Country due to handing over the case of Gerard Roberts-Meier to the Lublin Provincial Inspector of Geodetic and Cartographic Supervision, which acted to the detriment private interest of the above mentioned aggrieved party, that is the crime under Art. 231 § 1 of the Criminal Code – when it is found that the act does not contain the features of a prohibited act (Article 17 § 1 point 2 of the Code of Criminal Procedure);
4. excess of powers in the period from June 24th, 2019, to May 10th, 2022, in Lublin by the Lublin Voivodship Inspector of Geodetic and Cartographic Supervision due to handing over the case of Gerard Roberts-Meier to the Starost of Opole Lubelskie for examination, which acted to the detriment private interest of the above mentioned aggrieved party, that is the crime under Art. 231 § 1 of the Criminal Code – when it is found that the act does not contain the features of a prohibited act (Article 17 § 1 point 2 of the Code of Criminal Procedure);
5. failure to fulfill the duties in the period from March 2nd, 2018, to May 10th, 2022, in Opole Lubelskie by the Starost of Opole Lubelskie due to improper conduct of the administrative procedure regarding the separation of the plot with the registration number 586 with the neighboring plots and activities performed by authorized surveyors,

to Deprive Roberts-Meier Family of Human Rights

On this basis, the following facts were found.

Anna Roberts-Meier is the owner of a plot of land in Wilków, registration number 586. She acquired it from her mother, Genowefa Kijak, through a donation agreement concluded on August 12th, 2014.

My wife inherited the property under name "Meier" with a brown husband and son, so her ownership was seen as an excuse for antisemitic exclusion, starting with border changes in 2015. Furthermore, my wife inherited not only Plot 586, but also Plots 740, 589, 587/1 and 588 (1.35 ha.).

Agnieszka and Tomasz Kuś are co-owners of the neighboring plot with the registration number 590/1.

This contains a lie - Plot 586 does not border Plot 590/1. Later, in this 'Resolution', this Prosecutor correctly lists only Plots 589, 740 and 717/1 as Bordering Plot 590/1.

Before the conclusion of the donation agreement between Anna Roberts-Meier and her mother, plot number 586 had access to a public road connecting Wilków with the village of Dobrze based on a personal servitude corresponding to the servitude of the necessary road, established for Genowefa Kijak and encumbering the plot belonging to Agnieszka and Tomasz Kuś, currently marked with the registration number 590/1. The servitude was established by the decision of the District Court in Opole Lubelskie, Lublin Civil Department of June 30th, 1967, issued in the case number Ns 326/62. In point I of the aforementioned decision, it was indicated that the servitude established on plot number 17 (currently 590/1) with the content of a necessary road servitude with a width of 3 meters, was a personal servitude established for Genowefa Kijak and Edward Drąg and was to allow access to their property number 18 (currently plots with registration number 586).

This is a lie - the servitude of 1967 stated a length of 40 m. which would bring us to Public Gmina Road 715 (under the 590/1 house built on Community Plot 717/1 without permission). The Agreement to sell us Community Land for a Road also specified 0.03 ha. which would bring us to Public Gmina Road 715. The lie is that we needed a servitude all the way to the main road connecting Wilków and Dobrze - such a servitude would require a length of more than 80 m. Gmina Wilków is responsible for this Public Road 715 but they have allowed it to shrink in violation of our Human Rights, as evidenced by the Public Fire Hydrant now lying behind the private fence of our neighbour. Gmina Wilków is responsible for allowing this antisemitism.

Furthermore, the map accompanying the servitude decision of 1967 did not exist, but this discrimination of 1967 has been surpassed by antisemitism in the 21st Century which grants our neighbours a servitude without even pretending a map exists to show they own the land in question. Furthermore, Plot 18 was divided into Plots 586 and 740, and the servitude would have extended from Plot 740. Plot 586 has always adjoined Community Plot 717/1 directly, as the maps show.

On July 12th, 2019, the Extraordinary General Meeting of Members of the Land Community of Wilków agreed to sell part of the plot number 717/1 owned by the Community for PLN 30,000 to Anna Roberts-Meier.

The Community agreed to sell us 0.03 ha. of Plot 717/1 which would bring us to Gmina Road 715. This 'Resolution' ignores the existence of Gmina Road 715 to ignore the abuses there.

By letter of October 21st, 2019, the Wilków Commune Office informed Anna Roberts-Meier about the initiation of the demarcation procedure of the plot with the registration number 717/1 and the plot with the registration number 586, being her property, and the refusal to extend the demarcation in the part concerning the plots with the registration numbers 583/3, 583/2, 590/1 and 715 due to the lack of legal interest. It also pointed out that the Land Community of Wilków did not accede to the submitted application for the extension of the procedure for delimiting the above-mentioned plots, and the Land Community's consent to the purchase of a part of the plot number 717/1 did not grant Anna Roberts-Meier the right to apply for demarcation with plots with the registry numbers 583/3, 583/2 and 590/1.

We were not yet the owners of a portion of Plot 717/1, so this allowed the authorities to deny us - brown "Meier"s - the demarcation necessary for our agreed purchase. They claimed we should be responsible for the sale to ourselves.

In a letter of 10th March, 2020, the Mayor of the Wilków Commune issued a decision in which refused Anna Roberts-Meier to initiate administrative proceedings regarding the division of a plot with registration number 717/1, located in Wilków, due to the fact that the person entitled to withdraw from this motion was the Land Community of Wilków represented by its Chairman. *The Polish authorities make up excuses to prevent ethnic minorities from purchasing land they need for access in the villages of Lubelski, even after those sales have already been agreed.*

On October 18th, 2021, the Mayor of the Wilków Commune initiated, at the request of Tomasz Kuś, a demarcation procedure for the real estate located in Wilków, with the registration number 590/1, with the neighboring plots with the registration numbers 589, 740 and 717/1. *Our evidence shows the Wilków Mayor initiating a demarcation for Tomasz Kuś which extended far beyond the borders of his own Plot 590/1. Tomasz Kuś was granted demarcation of Plots which he doesn't need, while we were denied demarcation of Plots which we do need for access to our home.*

By application of February 13th, 2015, the attorney of Anna Roberts-Meier demanded, among others, the establishment of a servitude of a necessary road for the benefit of every owner of a real estate located in Wilków, with the registry number 586, a servitude of a necessary road encumbering the real estate marked with registration number 590/1 with width of not less than 4.5 m according to the road route presented on the map prepared by an authorized surveyor, the obligation of the participants Agnieszka and Tomasz Kuś to move the fence built on the plot with the registry number 590/1 in the way to mark out the necessary road with a width of not less than 4.5 m, within the time limit specified by the court. *This is not true because a width of 4.5 m. was never possible with the maximum width of 3.60 m. which racist Gmina Wilków had allowed the width of their Road 715 to shrink to. We have a map from Opole Lubelskie Court proposing a servitude with a width of only 3.29 m. along Gmina Road 715, so it is a lie to suggest 4.5 m. was available at this time, and to suggest our neighbours built their fence inside Gmina Road 715 very recently after other proceedings had run their course.*

In the justification, it pointed out that as a result of the donation agreement concluded between Anna Roberts-Meier and Genowefa Kijak, the personal servitude as an inalienable right in rem had expired, and therefore plot number 586 was deprived of access to the public road connecting Wilków with the Dobre village. In addition, Tomasz and Agnieszka Kuś, without consulting the owners of plot number 586, began fencing plot 590/1 and thus narrowed the servitude road, which made it difficult for Anna Roberts-Meier and her family to pass agricultural equipment and other large vehicles. Due to the construction of the fence, the road leading to Anna Roberts-Meier's farm was partially shifted to the plot of the Land Community of Wilków number 717/1. *This is very devious - it continues to suggest our neighbours only moved their fence onto Gmina Road 715 and Community Land 717/1 very recently after other proceedings had run their course. All the evidence shows both Plots 590/1 and 583/2 had expanded onto Gmina Road 715 and Community Land 717/1 without permission many years previously - abusing our Human Rights in the process. The antisemitic border changes from 2015 have approved their illicit expansions onto public Plots 715 and 717/1, while ignoring our historic use of this public access.*

In the course of the proceedings, the attorney of Anna Roberts-Meier several times modified the submitted application.

By letter of February 26th, 2019, Anna and Gerard Roberts-Meier applied to the District Court in Opole Lubelskie for the establishment of a necessary servitude for the benefit of every real estate owner and for entering the servitude in the land and mortgage register. *These are further lies - The Case No. is I Ns 433/15 because the Case was opened in 2015. We applied for a servitude in 2015 before we realised we didn't need one, as our neighbours had expanded onto Public Plots without permission, pushing our access back onto those public Plots. We are the only people who need this land for access, while our neighbours only want this land for greed and to exclude the presence of us ethnic minorities. We did not authorise any subsequent requests for a servitude and we have a letter from an Opole Lubelski Judge acknowledging our lawyers acting without authorisation.*

Sygn. akt.

1967 was the start of the antisemitic purges of Mieczysław Moczar,
so giving precedence to

discriminatory wording from

Postanowienie

this time is like giving precedence to discriminatory wording from Nazi Germany
in 1935 when they were enacting the Nuremberg Race Laws.

Dnia 30 czerwca 1967 r.

Powiatowy
Sąd w Opolu Lubelskim Wydział Cywilny

w składzie następującym:

Przewodniczący J.Kupis

Sędziowie*) **Assignment to Names rather than Property
is abnormal discrimination,
so Access would expire on death of Names.**

Protokółant apl.sąd. R.Żmigrodzki

po rozpoznaniu w dniu 26 czerwca 1967 r. w

przy udziale*) (Wymienić prokuratora lub przedstawiciela organizacji społecznej jeśli brał udział)

na rozprawie

sprawy z wniosku spadkobierców Pauliny Drag - Genowefy Kijak i Edwarda Draga

z uczest. postęp. Michalina i Marcelim małż.Kuś i innym.

establishing an equestrian road **This servitude decision could not be applied today
because the accompanying map does not exist.
If it did exist, it would show the route of
the servitude lying underneath the house
built on Community Land without permission.**

postanawia:

I appoint on plot no. tab.lik.17 belonging to the co-owners: Michalina Kuś, Marcelli Kus, Jan Włodarczyk, Stanisław Włodarczyk, Eugeniusz Włodarczyk, Krystyna Włodarczyk, Mieczysław Lasota, Adela Grzyb, Danuta Kuś, Ignacy Lasota, Zofia Włodarczyk and Jan Walczyk, located in Wilków district of Opole Lubelskie - a necessary road for the heirs of Paulina Drag - Genowefa Kijak and Edward Draga. to their plot No. tab.likw. 18 - it is between the escarpment outside Michalina and Marcelego mał.m.Kuś, and the rest of their land above the Vistula Lagoon, 3 meters wide and 40 meters long, ie from the Genowefa Kijak branch in the north to the village road in the south, according to a plan drawn up in on November 28, 1966 by an expert surveyor M. Urban attached to case Ns 85/66 tut.

II accuse Michalina and Marcel from catching on behalf of Genowefa Kijak for the partial costs of the trial, the amount of 900 zł (nine hundred zlotys).

**Our family never had to pay anything.
This is because our family had already
been using the land for hundreds of years
without a servitude.**

*) Zbędne skreślić
MS/C post. 2. Postanowienie sądu I instancji.
Zakład Produkcijny 77-330 Czarne, ul. Pomorska 1

**Na oryginalne właściwe podpisy
Za zgodność świadczy
Sekretarz Sądu**



SZKIC Z OGŁĘDZIN NIERUCHOMOŚCI
do sprawy I Ns 433/15 o ustanowienie służebności drogi koniecznej

Szkic niniejszy wykonano na podstawie oględzin nieruchomości oraz pomiaru uzupełniającego w dniu 25.03.2019 r.

Granice działek, według danych ewidencji gruntów oznaczono liniami ciągłymi w kolorze czarnym.

Antisemitic Lie from Opole Lubelskie Prosecutor

This is the Servitude Map proposed by the Court of Opole Lubelskie in Case I Ns 433/15 in 2019. It clearly shows a maximum available width of 3.40m with 2.41m tarmac at the corner where we need to turn, and a maximum available width of 2.66m along Gmina road 715. Nowhere does this Court map show the 4.50 m. width which the Opole Lubelskie Prosecutor tells everyone was offered to us. The antisemitic Opole Lubelskie Prosecutor lies to pretend Brown "Meier" has no grounds for appeal.

Illustration of Shrinkage of Public Road 715



This illustration shows how our access along Public Road 715 has shrunk to a maximum of 3.60m. across - from 583/2 border post to new 590/1 wall. Allowing for the standard 1m. buffer on either side to safeguard our neighbours' fences, our access is now only 1.60m. wide at this point. 590/1 say they have moved back from the tarmac of Public Road 715 as requested, but their new wall leaves still leaves the public fire hydrant inside their personal property, and still leaves us less available width than the old Public Road 715 which they built over.



On Geoportal, the still visible borders of the original road 715 measure a width of 4m. along its length, and it is this 4m. which 590/1 should have pulled back from, rather than a discriminatory 2.65m. of tarmac.

BIURO RZECZNIKA PRAW OBYWATELSKICH

28.07.2022 r.

Wpłynęło dnia 28.07.22. [signature]

Gerard Roberts-MeierAdres do korespondencji:

ul. Puławska 18/137

20-046 Lublin

Polska

Gerard@wilkow.ghetto.place

+44 7795 345383

Polish Ghetto:

Wilków 53

24-313 Wilków

woj. Lubelskie

Poland



+48 731 103007

Rzecznik Praw Obywatelskich w Warszawie

al. Solidarności 77

00-090 Warszawa

Sygn. / Ref. II.510.301.2021

Sygn. / Ref. IV.510.71.2018

Prokuratura Krajowa R.P.

ul. Postępu 3

02-676 Warszawa

Sygn. / Ref. 1001-4.Ksk.585.2021

Sygn. / Ref. 1001-1.Ko.1564.2022

Sygn. / Ref. 3020-4.Ko.485.2022

**Skarga na Joannę Węgier
Asesora Prokuratury Rejonowej w Opolu Lubelskim****Complaint against Joanna Węgier
Assessor for District Prosecutor of Opole Lubelskie**

PL

Szanowni Państwo,

EN

Dear Sirs/Madams,

EN

Pragnę złożyć formalną skargę na Joannę Węgier – Asesora Prokuratury Rejonowej w Opolu Lubelskim.

PL

I wish to lodge a formal complaint against Joanna Węgier – Assessor for District Prosecutor of Opole Lubelskie.

Prokuratura Krajowa Warszawa 02-676 ul. Postępu 3 22 12 51 594 22 12 51 471 biuro.podswcze.pk@prokuratura.gov.pl	
POTWIERDZENIE KANCELARYJNE	
 10016007202207280812	
Ogólne	52
Typ pisma	Skriba ratgionikow
GERARD ROBERTS-MEIER; PULAWSKA 18 / 137 20046 LUBLIN	
Nadawca	
2022-07-28	1001-22-137682
Data wyplywu	UNP / Znak pisma nadawcy
Najda lukasz	
Osoba wystawiajaca potwierdzenie	Podpis [signature]
Najda lukasz	
Osoba przyjmujaca	Podpis [signature]

PL

Szczegóły mojej skargi zawarte są w moich adnotacjach do jej Postanowienia z dnia 05 lipca 2022 r. w załączniku. Podsumowując:

1. Pani prokurator J. Węgier wysłuchiwała słów tych, którzy odmawiają nam uznania naszych Praw Człowieka, nie popierając tej odmowy jakimikolwiek dowodami. Jednocześnie zignorowała poparte dowodami nasze słowa, czyli ofiar. Ponadto słowa, którymi pani J. Węgier odnosi się do pism z instancji wyższych, są wypaczeniami powstałymi przede wszystkim w Opolu Lubelskim.
2. Pani J. Węgier odniosła się do pism i decyzji, których nigdy nie otrzymaliśmy. Wiele z tego, co mówi, jest sprzeczne z informacjami zawartymi w pismach które otrzymaliśmy.
3. Pani J. Węgier wprowadziła nowe nieprawidłowości - na przykład, że potrzebowalibyśmy służebności aż do drogi głównej, a nie gminnej nr 715. Inną wprowadzoną przez nią nieprawidłowością jest to, że zaoferowano nam odpowiedni dostęp, a nasze ograniczenia zostały wprowadzone po tym, jak odmówiliśmy odpowiedniego dostępu w ofercie. Co więcej, jako brązowoskórzy „Meierowie” oczekiwano, że będziemy teraz dokonywać płatności na rzecz sąsiadów, podczas gdy nasza rodzina nigdy nie musiała płacić nikomu pieniędzy w przeszłości za dojazd. Dowody pokazują, że nawet przy dyskryminacji wprowadzonej w 1967 roku, nasza mama nie musiała ponosić żadnych kosztów. Antysemityzm wprowadzony w XXI wieku idzie dalej niż dyskryminacja z przeszłości.
4. Dostęp do Europejskiego Trybunału Praw Człowieka następuje po procesie eskalacji. Starając się odpowiadać w imieniu władz wyższego szczebla, Pani Prokurator J. Węgier stara się wypaczyć proces odwołania, na którym opiera się europejska sprawiedliwość.
5. Pani Węgier potwierdziła również, że nie mamy już dostępu do naszego domu, co stanowi bezpośrednie naruszenie naszego Prawa Człowieka do Ochrony Własności, zapewnionego przez [Protokół Paryski, 1952, Artykuł 1].

EN

The detail of my complaint is contained in my annotations to her Resolution of 05/07/2022, as attached. Summarising:

- 1 Prosecutor J. Węgier has listened to the words of those who deny us our Human Rights without the support of evidence. At the same time, she has ignored the words of us, the victims, which are supported by evidence. Furthermore, the words which Ms. Węgier repeats from higher authorities are generally distortions created in Opole Lubelskie in the first place.
- 2 Ms. J. Węgier has referred to letters and decisions which we never received. Much of what she says contradicts information in letters which we have received.
- 3 Ms. Węgier has introduced new distortions – for example that we would need a servitude all the way to the main road, rather than Gmina Road 715. Another lie she has introduced is that we were offered adequate access, and our restrictions were only introduced after we refused the adequate access on offer. Furthermore, as brown “Meier”s we were now expected to make payments to our neighbours where our family has never had to pay money to anyone in the past for access to our home. The evidence shows that, even with the discrimination introduced in 1967, our mother did not have to pay any costs. The antisemitism introduced in the 21st Century goes further than discrimination of the past.
- 4 Access to the European Court of Human Rights follows a process of escalation. By seeking to answer for higher level authorities in Warsaw, Ms. Węgier is seeking to pervert the process of escalation on which European Justice is based.
- 5 Ms. Węgier has also confirmed that we no longer have access to our home, in a direct violation of our Human Right to Protection of Property as assured by [Paris 1952 Protocol Article 1].

PL

Wydaje się, że Prokuratura w Opolu Lubelskim chce nas ukarać, bo jako mniejszości etniczne nie powinniśmy odwoływać się do wyższych instancji. Wypędzono nas z naszego historycznego domu, moja żona została zdiagnozowana przez lekarza psychiatrę jako „głęboką depresję” z powodu antysemityzmu, a nasz syn doświadczył życia w polskim getcie w XXI wieku. W przeciwieństwie do tych, którzy pracują dla państwowych instytucji, my nie otrzymujemy zapłaty za wszystkie godziny i stres, które musimy poświęcić na walkę o sprawiedliwość.

EN

It feels like the Prosecutor of Opole Lubelskie seeks to punish us because, as ethnic minorities, we should not be appealing to higher authorities. We have been driven from our historic home, my wife has been diagnosed by psychiatrists as “severely depressed” by the antisemitism, and our son has experienced life in a Polish Ghetto in the 21st Century. Unlike those working for State institutions, we don’t receive payment for all the hours and stress we have to spend fighting for justice.

PL

Opole Lubelskie zostało wybrane przez nazistów jako idealna lokalizacja dla ich lokalnego żydowskiego getta. Czytając antysemickie wymówki i wypaczenia przedstawiane przez prokurator J. Węgier, wydaje się, że niewiele się zmieniło w dzisiejszych czasach.

EN

Opole Lubelskie was chosen by the Nazis as the perfect location for their local Jewish Ghetto. When reading the antisemitic excuses and distortions reported by Prosecutor J. Węgier, it feels like little has changed.

PL

Mamy więc nadzieję, że w końcu pomogą nam Państwo przywrócić nasz odpowiedni bezpłatny dostęp publiczny, zamiast nadal ignorować i przeinaczać nasze odwołania.

EN

So, we hope you can finally help restore our adequate free public access, rather than continuing to ignore and divert our appeals.

Z poważaniem, / Yours faithfully,



Gerard Roberts-Meier.

Załączniki / Attachments

Strony/Pages

- 1 **PL** Ilustracja drogi dojazdowej do naszego domu, z której swobodnie korzystaliśmy przez setki lat.
EN Illustration of the access route to our home which we used freely for hundreds of years.
- 2 - 16 **PL** 05.07.2022 r.: Postanowienie od Joanny Węgier – Asesora Prokuratury Rejonowej w Opolu Lubelskim – wraz z naszymi adnotacjami.
EN 05/07/2022 . Resolution from Joanna Węgier – Assessor for District Prosecutor of Opole Lubelskie - with our annotations.
- 32 - 35 **PL** Dyskryminacja z antysemickiego 1967 roku Mieczysława Moczara, wykorzystana do uzasadnienia nowych wysiedleń Żydów od 13.07.2015 r. Notarialne oświadczenie Genowefy z dnia 10.03.2021 r. jest zgodne z archiwami i mapami do dnia 13.07.2015 r., ale zostało ono zignorowane. **Ten dowód wskazuje również na odległość 40 m do drogi gminnej nr 715, którą Joanna Węgier zignorowała.**
EN Discrimination from the antisemitic 1967 of Mieczysław Moczar, used to justify new antisemitism from July 13, 2015. Genowefa's notarized statement of 10/03/2021 is consistent with the archives and maps until July 13, 2015, but it is ignored. **This evidence also shows a distance of 40 m. to Gmina Road 715, which Joanna Węgier has ignored.**
- 36 - 37 **PL** 06.06.2012 r.: pismo z archiwów lubelskich, wskazujące na brak mapy sprzed dyskryminacji antysemickich latach sześćdziesiątych.
EN 06/06/2012: letter from Lublin archives showing there was no map prior to discrimination in the antisemitic 1960s.
- 38 – 40 **PL** Dowody na antysemickie zmiany mapy od dnia 13 lipca 2015 r., aby zablokować publiczny dostęp dla brązowoskórych „Meierów”.
EN Evidence of antisemitic map changes from 13/07/2015 to block public access for brown-skinned ‘Meiers’.
- 41 – 42 **PL** Lipiec 2019 r.: Mapa dojazdu zaproponowana przez Sąd w Opolu Lubelskim, **pokazująca tylko 3,29 m szerokość dostępnej wzdłuż drogi gminnej nr 715 (2,41 m asfaltu) w tym czasie.**
EN July 2019: Access map proposed by Opole Lubelskie Court, **showing only 3.29 m. width available along Gmina Road 715 (2.41 m. tarmac) at this time.**
- 43 – 50 **PL** Antysemickie implikacje nowych granic.
EN Antisemitic implications of new borders.
- 51 - 52 **PL** Dowód naszego dostępu fizycznie zablokowany od dnia 26 marca 2021 r. za zgodą lokalnej policji. Policja poinformowała nas, że nie mamy już prawa wstępu do naszego historycznego domu. Mamy też film z tego dnia dotyczący tej dyskryminacji.
EN Evidence of our access physically blocked from 26/03/2021 with approval of local police. The police informed us we no longer have the right to access our historic home. We also have film of discrimination that day.

Warsaw, August 1st, 2022

THE REPUBLIC OF POLAND
NATIONAL PROSECUTION
JUDICIAL DEPARTMENT
CASSATION DEPARTMENT

Postępu Street 3
02-676 WARSAW

1001-4.Ksk.585.2021

**Regional Prosecutor's Office
in Lublin**

In the attachment I'm sending a copy of Gerard Roberts-Meier's correspondence of July 28th, 2022, for appropriate investigation.

At the same time, I would like to kindly inform you that in the scope of Genowefa Kijak's application for a cassation appeal against the judgment of the District Court in Lublin of July 1st, 2021, ref. No. XI Ka 431/21, the case was registered in the local Department under the ref. No. 1001-4.Ksk.585.2021, and then, after making appropriate arrangements, it was completed, due to the fact that the same application was submitted to the Ombudsman.

Krzysztof Klimkiewicz

prokurator
delegowany do Prokuratury Krajowej

Attachment:

- as in the letter.

To information:

Gerard Roberts-Meier
Puławska Street 18/137
20 – 046 Lublin



Warsaw, 12/08/2022

**OFFICE
OF THE OMBUDSMAN****Civil Law Team****II.519.740.2022.KM****Mr.****Gerard Roberts-Meier**Gerard@wilkow.ghetto.place

Dear Sir,

Acting under the authority of the Ombudsman, I kindly inform you that the Ombudsman, after reading your application of July 28th, 2022 (date of receipt by the Ombudsman's Office), in the scope of the proceedings conducted at the District Prosecutor's Office in Opole Lubelskie, ref. No. 4162-O.Ds. 851.2022, which ended with the issuance of a decision not to initiate an investigation, currently will not take the indicated case due to the fact that your application does not result whether the case has been legally closed, whether you have lodged a complaint and whether it has been examined.

At the same time, I would like to inform you that the Ombudsman acts on the basis of the Act of July 15th, 1987, on the Ombudsman (consolidated text in Journal of Laws of 2020, item 627), which defines the powers of the Ombudsman.

Pursuant to Art. 1 of the above-mentioned act, the Ombudsman examines whether, as a result of actions or omissions of bodies, organizations and institutions obliged to respect and implement these freedoms and rights, there has been no violation of the law, as well as the principles of coexistence and social justice.

However, the Ombudsman does not interfere in the course of pending criminal proceedings (both preparatory and court proceedings) until their final conclusion.

Considering the above, there are currently no grounds for taking your case by the Ombudsman.

At the same time, I would like to inform you that the Ombudsman may, within the scope of his competences, investigate the matter at your request, only after its final and binding conclusion.

Yours sincerely

Krzysztof Marczuk

Chief Specialist in the Team

/ -signed electronically/



DEPUTY
DISTRICT PROSECUTOR'S
IN LUBLIN

Lublin, September 20th, 2022

ref. No. 3020 – 4.Ko.485.2022

**District Prosecutor's Office
in Opole Lubelskie**

In the attachement I am kindly sending, according to the jurisdiction, received with the letter of the Regional Prosecutor's Office in Lublin of September 9th, 2022, ref. No. 2005- 4.Ko.268.2022 printout of the correspondence of Mr. Gerard Roberts-Meier of July 28th, 2022, to the extent that it concerns the proceedings with ref. No. 4162-0.Ds.851.2022 – for appropriate examination. I would like to point out that pursuant to § 382 of the Regulation of the Minister of Justice of April 7th, 2016, the Regulations of the internal office of common organizational units of the prosecutor's office (consolidated text, Journal of Laws of 2017, item 1206, as amended), letters of a proceedings regarding the scope of the prosecutor's activities in criminal proceedings in a specific case are dealt with in the manner provided for in the provisions of these proceedings; these letters should not be treated as complaints.

At the same time, due to the order of the Regional Prosecutor's Office in Lublin – please send, no later than September 23rd, 2022, information about the course of the proceedings with ref. No. 4162-0.Ds.851.2022.

p.o. Marcin Siwiec

Attachments:

- as in content

To information:

- Mr. Gerard Roberts-Meier

20-046 Lublin, Pulawska Street 18/137

08.12.2022 r.

Gerard Roberts-MeierAdres do korespondencji:Correspondence Address:

ul. Puławska 18/137

20-046 Lublin

Polska

Gerard@fineview.com

+44 7795 345383

Oraz w imieniu / And on behalf of:**Mrs. Anna Roberts-Meier****Mrs. Genowefa Kijak**Adres zameldowania:Registered Address:

Wilków 53

24-313 Wilków

woj. Lubelskie

Polska



+48 731 103007

Rzecznik Praw Obywatelskich w Warszawie

al. Solidarności 77

00-090 Warszawa

Sygn. / Ref. II.519.740.2022**Prokurata Krajowa R.P.**

ul. Postępu 3

02-676 Warszawa

Sygn. / Ref. 1001-4.Ksk.585.2021

BIURO RZECZNIKA PRAW OBYWATELSKICH

2022 -12- 08

Wpłynęło dnia

**Rzecznik Praw Obywatelskich i Prokurator Krajowy naruszają nasze
„Prawo do skutecznego środka odwoławczego”
Odnośnie skargi przeciwko Joannie Węgier
Asesorowi Prokuratury Rejonowej w Opolu Lubelskim**

**Ombudsman and National Prosecutor Violate our
“Right to an Effective Remedy”
Regarding Complaint against Joanna Węgier
Assessor for District Prosecutor of Opole Lubelskie**

PL

Szanowni Państwo,

EN

Dear Sirs/Madams,

PL

Widzimy ciągle łamanie naszych praw człowieka w formalnej skardze, którą złożyliśmy przeciwko Joannie Węgier – Asesorowi Prokuratury Rejonowej w Opolu Lubelskim – w dniu 28.07.2022 r. W szczególności widzimy naruszenie naszego „Prawa do skutecznego środka odwoławczego”, które zapewnia nam [Artykuł 13, Konwencji Rzymskiej z 1950 r.].

EN

We see continuing violation of our Human Rights in the formal complaint we raised against Joanna Węgier – Assessor for District Prosecutor of Opole Lubelskie – 28/07/2022. In particular, we see violation our “Right to an effective remedy” as assured by [Rome 1950 Convention Article 13].

PL

W dniu 12.08.2022 r. w piśmie sygn. II.519.740.2022 Rzecznik Praw Obywatelskich odmawia wszczęcia śledztwa w kwestii łamania praw człowieka, ponieważ sprawa nie została zakończona, podczas gdy Prokurator w Opolu Lubelskim dyskryminuje nas akceptując kłamstwa bez dowodów, odmawiając wszczęcia sprawy i próbuje odwieść kogokolwiek od wszczęcia śledztwa w sprawie nadużycia naszych Praw Człowieka. Rzecznik Praw Obywatelskich nie zdaje sobie również sprawy, że Prokurator w Opolu Lubelskim pozoruje, że składamy skargę na podstawie art. 231 § 1 k.k., kiedy wszystkie nasze skargi są oparte na nadużyciu naszych praw człowieka, których Polska jest sygnatariuszem. Zostaliśmy bezdomni przez polskie władze, co należy uznać za naruszenie praw człowieka. Nie możemy opiekować się naszą 83-letnią matką, jeśli nie mamy dostępu do naszego domu w Wilków 53, więc i nasza matka została bezdomna. Jeżeli Prokuratura w Opolu Lubelskim nie jest kompetentna do zajmowania się łamaniem praw człowieka, nasze skargi nigdy nie powinny były trafić do tej Prokuratury.

EN

On 12/08/2022 Ref. II.519.740.2022 the Ombudsman refuses to investigate abuse of our Human Rights because a Case has not been closed, when the Prosecutor of Opole Lubelskie is discriminating against us by accepting lies without evidence, and refusing to open a Case, and attempting to dissuade anyone else from investigating abuse of our Human Rights. The Ombudsman also fails to realise that the Opole Lubelskie Prosecutor pretends we are complaining under Polish Art. 231 § 1 Criminal Code., when all our complaints are made on the basis of abuse of our Human Rights which Poland is a signatory to. We have been made homeless by the Polish authorities, which has to be considered a Human Rights abuse. We cannot look after our 83-year-old mother if we do not have access to our home at Wilków 53, so our mother has also been made homeless. If the Opole Lubelskie Prosecutor is not competent to deal with Human Rights abuses, our complaints should never have been referred to her.

PL

W dniu 01.08.2022 r. sygn. 1001-4.Ksk.585.2021 Prokurator Krajowy kieruje naszą skargę do Prokuratora Regionalnego w Lublinie. Prokurator Regionalny w Lublinie skierował następnie naszą skargę do Zastępcy Prokuratora Okręgowego w Lublinie w dniu 09.09.2022 r. sygn. 2005-4.Ko.268.2022, a następnie Zastępcę Prokuratora Okręgowej w Lublinie skierował naszą skargę z powrotem do Prokuratury Rejonowej w Opolu Lubelskim w dniu 20.09.2022 r., sygn. 3020-4.Ko.485.2022. W ten sposób dział, na który złożyliśmy skargę, stał się odpowiedzialny za rozpatrzenie naszej skargi, co musi stanowić naruszenie naszego „Prawa do skutecznego środka odwoławczego”. Europejski wymiar sprawiedliwości zależy od eskalacji odwołań, więc odsyłanie odwołań z powrotem do departamentów, od których się odwołujemy, jest obstrukcją europejskiego wymiaru sprawiedliwości. Na domiar złego Zastępcę Prokuratora Okręgowego w Lublinie poinformował Prokuratorów Rejonowych w Opolu Lubelskim, że mogą zignorować nasze zażalenie. Wszystkie nasze skargi do Prokuratury Krajowej trafiają teraz z powrotem w ręce osób, na które się skarżymy. Trudno dostrzec jakiegokolwiek poszanowanie praw człowieka, gdy samo „prawo do skutecznego środka odwoławczego” jest wypaczane w ten sposób. Jeśli Prokuratura Krajowa nie ponosi odpowiedzialności za prawa człowieka, powinna nam o tym powiedzieć, abyśmy mogli pokazać Europejskim Sądom, że wyczerpaliśmy wszystkie opcje krajowe.

EN

On 01/08/2022 Ref. 1001-4.Ksk.585.2021 The National Prosecutor refers our Complaint to the Regional Prosecutor in Lublin. The Regional Prosecutor in Lublin then referred our Complaint to the Deputy District Prosecutor of Lublin on 09/09/2022 Ref. 2005-4.Ko.268.2022, and the Deputy District Prosecutor of Lublin then referred our Complaint back to the District Prosecutor of Opole Lubelskie on 20/09/2022 Ref. 3020-4.Ko.485.2022. In this way, the department which we were complaining about became responsible for handling our complaint, which has to be a violation of our “Right to an Effective Remedy”. European Justice depends on escalation of appeals, so sending appeals back down to the departments we are appealing against is an obstruction of European Justice. To add insult to injury, the Deputy District Prosecutor of Lublin advised the District Prosecutors of Opole Lubelskie that they could ignore our Complaint. All our complaints to the National Prosecutor now end up back in the hands of the people we are complaining about. It is difficult to see any respect for Human Rights when the “Right to an Effective Remedy” itself is perverted in this manner. If the National Prosecutor has no responsibility for Human Rights, they should tell us so, so we can show European Courts we have exhausted all Domestic options.

PL

Prosimy więc o respektowanie Praw Człowieka, których Polska jest sygnatariuszem, w tym naszego „Prawa do skutecznego środka odwoławczego”, które gwarantuje [Artykuł 13, Konwencji Rzymskiej z 1950 r.]. Jeśli nie mogą Państwo nam pomóc, prosimy o odpowiedź, którą możemy przekazać do sądów europejskich, a nie przekierowywać naszych odwołań w złym kierunku w celu wypaczenia europejskiego wymiaru sprawiedliwości.

EN

So, please respect the Human Rights to which Poland is a signatory, including our “Right to an Effective Remedy” as assured by [Rome 1950 Convention Article 13]. If you can’t help us, please grant us decisions which we can escalate to European Courts, rather than sending our appeals in the wrong direction, in order to pervert European Justice.

Z poważaniem, / Yours faithfully,

Gerard Roberts-Meier.

Pełnomocnik / Power of Attorney

Załączniki / Attachments

Strony/Pages

- | | |
|---------|--|
| 1 - 5 | PL 28.07.2022 r. – Skarga na Joannę Węgier – Asesora Prokuratury Rejonowej w Opolu Lubelskim.
EN 28/07/2022 – Complaint against Joanna Węgier – Assessor for District Prosecutor of Opole Lubelskie. |
| 6 - 9 | PL 12.08.2022 r. – Bezużyteczna odpowiedź od Rzecznika Praw Obywatelskich w Warszawie.
EN 12/08/2022 – Unhelpful response from Ombudsman of Warsaw. |
| 10 - 11 | PL 01.08.2022 r. – Skierowanie zażalenia od Prokuratora Krajowego do Prokuratury w Lublinie.
EN 01/08/2022 – Transfer of Complaint from National Prosecutor to Lublin Prosecutor. |
| 12 - 13 | PL 20.09.2022 r. – Skierowanie zażalenia od Prokuratora w Lublinie z powrotem do Prokuratora w Opolu Lubelskim na którego złożyliśmy zażalenie – ze wskazówką, że nasze zażalenie może być zignorowane.
EN 20/09/2022 – Transfer of Complaint from Lublin Prosecutor back to Opole Lubelskie Prosecutor who we are complaining about – with advice that our complaint can be ignored. |

Prokuratura Krajowa	
Warszawa 02-676 ul. Postępu 3 22 12 51 594 22 12 51 471 biuro.podawcze.pk@prokuratura.gov.pl	
POTWIERDZENIE KANCELARYJNE	
 10016007202212080998	
Ogólne	4
Typ pisma	Liczba załączników
GERRAD ROBERTS-MEIER; PUŁAWSKA 18 / 137 20046 LUBLIN Nadawca	
2022-12-08	1001-22-220577
Data wpływu	UNP / Znak pisma nadawcy
Najda Łukasz	
Osoba wystawiająca potwierdzenie	Podpis 
Najda Łukasz	
Osoba przyjmująca	Podpis 

Lublin, December 8th, 2022

performing the duties of DEPUTY
OF THE DISTRICT PROSECUTOR'S OFFICE
IN LUBLIN

Ref. No. 3020-1.Dsn 129.2022.Opl.W
refers to 4162-0.Ds.851.2022

Mr.

Gerard Roberts-Meier

Puławska Street 18/137

20-046 Lublin

In response to your letter of July 28th, 2022, addressed to the Ombudsman and the National Prosecutor's Office, which in its basis constitutes a repeated application for the initiation of preparatory proceedings with reference number 4162-0.Ds.851.2022 of the District Prosecutor's Office in Opole Lubelskie in the case of acts under Art. 231 § 1 of the Penal Code, concluded with a final decision on refusal to initiate an investigation of July 5th, 2022, I inform you that after reading the content of the letter sent and analyzing the files of the proceedings ref. No. 4162-0.Ds.851.2022, no grounds for initiating the proceedings were found due to no occurrence of the circumstances specified in § 256 section 2 of the Regulation of the Minister of Justice of April 7th, 2016 – Regulations of the internal office of common organizational units of the prosecutor's office (that is Journal of Laws of 2017, item 1206, as amended).

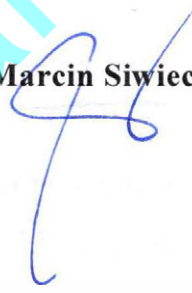
In the content of the letter, as well as in the attached attachments, you did not raise any new circumstances undermining the legitimacy of the decision to refuse to initiate an investigation in this present case.

The analysis of the materials of the proceedings ref. No. 4162-0.Ds.851.2022 of the District Prosecutor's Office in Opole Lubelskie, carried out at the level of the District Prosecutor's Office in Lublin, allowed to conclude that the substantive decision to refuse to initiate the investigation is justified. The evidence collected in the course of the verification procedure is complete and has been assessed correctly.

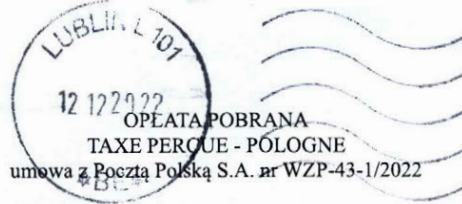
To sum up, there are no factual or legal grounds to consider the request to initiate investigation ref. No. 4162-0.Ds.851.2022 of the District Prosecutor's Office in Opole Lubelskie.

At the same time, pursuant to §256 section 2 of the Regulation of the Minister of Justice of April 7th, 2016 – Regulations of the internal office of common organizational units of the prosecutor's office (that is Journal of Laws of 2017, item 1206, as amended), I inform you that subsequent letters containing a request to initiate already completed proceedings – about unless they indicate new circumstances undermining the legitimacy of a final decision concluding the proceedings, they will be left unanswered.

Marcin Siwiec



Prokuratura Okręgowa w Lublinie
ul. Okopowa 2a
20-950 LUBLIN
Tel. 81 528 81 81 fax. 81 532 26 23

**F**

Sygn. akt: 3020-1.Dsn.129.2022
Nr: E 12.12.22/63

POLECONA-E**R**

P0168040020026

Gerard Roberts-Meier
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English Translation