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Selfkant, September 8th, 2022

## **In the military complaints process**

**of the ....**

### **AZ. BVerwG ...**

With the notification from the court of September 6th, 2022, I only have the official statements of the professional judge Dr. Langer, Dr. Eppelt and Dr. Häußler approached.

However, this side's application for bias dated August 5, 2022 also referred to the two assessors, Colonel Mielke and Lieutenant Colonel Suchordt, so that their statements are still awaited.

### **Or should their opinions be withheld from us? If yes: With which – legally compliant – justification?**

The content of the official statements of the professional judges of August 15, 2022 and August 25, 2022 (Dr. Langer), August 30, 2022 (Dr. Eppelt) and September 1, 2022 (Dr. Häußler) can be attributed to the soldiers who differed from this 1. military service senate hoped for a fair trial and a legal hearing, only seem like a mockery when it is there - for example in the statement by Dr. Langer from August 15, 2022 means, among other things:

"Of course, the entire written and oral presentation of the parties involved and, last but not least, the results of the extensive taking of evidence...were taken into account and considered in these decisions."

With such language you literally insult the intelligence of the soldiers and don't even bother to try to hide it.

As already explained, the judges rejected here could not possibly have "discussed all relevant factual and legal issues", as Dr. Häußler in his statement, because then they would have had to decide differently according to the factual and legal situation and allowed the complaints.

The written justification for the decision will not be able to hide the fact that the decision of the judges rejected here of July 7th, 2022 is a single judicial scandal through which the interests and rights of the soldiers were downright betrayed and sold.

From the point of view of the complainant, the judges who were rejected here at best "considered and considered" what corresponds to the interests of the Federal Government.

One was based on the case law of the Federal Constitutional Court?

The BVerfG is no longer taken seriously by critical lawyers since Prof. Dr. Harbarth is president there. It was already perfectly clear in 2020 where the journey with this President of the Federal Constitutional Court would go. Here is just one example out of countless:

“Of 880 proceedings that were received by the Federal Constitutional Court in 2020 and which were directed against the federal government’s allegedly unconstitutional corona measures, the Karlsruhe constitutional judges gave exactly 3 – in words: three! — applications accepted.”

Source: <https://www.rubikon.news/artikel/in-bedenklicher-verfassung>

How about the movie The Harbarth Files? Please refer: <https://www.kla.tv/Akte/21609>

The video is recommended. You don't have to like the source, but that doesn't invalidate the film's content. What is lacking in this small compilation is what is not all dealt with there.

In any case, the judges rejected here should not have been guided by the decision of the Federal Constitutional Court on facility-related vaccination requirements.

On the one hand, because of the legal objections that must also be observed there, which result from the Basic Law, European and international law and in particular from the Nuremberg Code and which the BVerfG should also have observed. Forcing people with such a burden of proof to actually take part in a gigantic experiment with highly dangerous Covid 19 injections is blatant injustice and not only proof of the decay of every legal culture, but also of the loss of all empathy and humanity.

We have presented extensively on this, also by referring to identical assessments by the network of critical judges and public prosecutors (KRiSta).

On the other hand, because of the fact that the BVerfG, as is well known, did not take any evidence at all and therefore did not listen to a single expert on the factual issues on whose assessment the life and health of so many people depend. That alone clearly proves, in my opinion, that this BVerfG was not at all interested in working through all the important questions of evidence from the outset. Decisions about the weal and woe of millions of people were simply made "according to the documents".

The coercion of all those who work in the institutions mentioned in § 20 a paragraph 1 IfSG was also provided with the appearance of legality. And that's what you should orientate yourself as a judge who has taken an oath on the Basic Law? Indeed? Why don't federal judges simply “orient themselves” back to fundamental rights and the Basic Law?

If, as a judge, one orients oneself to downright nihilistic decisions that effectively override fundamental basic rights, the result is likely to be total disorientation. However, such disorientation was to be avoided in these military complaints procedures, since the lives and health of all soldiers are at stake here. The judges rejected here would only have had to take note of the complainants' submissions, and then the question of whether one may "orientate oneself" to this BVerfG would have answered itself.

**In the complainant's view, the official statements of the professional judges are in any case not suitable for allaying the concern of bias. But on the contrary:** To the ridicule of the soldiers and complainants, all professional judges also emphasize that the presentation and applicant as well as the result of the taking of evidence were taken into account. Even if the verbal justification for the resolution and the press release on it - according to the statement by Dr. Häußler - "only the essential train of thought of the decision", it is precisely this "essential train of thought" that undoubtedly makes it clear that the judges rejected here could no longer have "considered" any facts and arguments in the final decision of the Senate, which prove the undeniable (!) high level of danger of Covid-19 injections.

Do these Covid-19 injections even - as the expert Prof. Dr. Chamberlain executed - even bioweapon quality? Do you have to clarify something like that officially? These judges didn't care. It doesn't matter at all, the experiment must go on.

From the already by Prof. Dr. Schwab, my colleague Tobias Ulbrich and myself, the judges rejected here completely ignored the central findings of the presentation and the taking of evidence and, above all, the clear legal situation, so that the decision of July 7th, 2022 was more than just surprising and, above all, in everyone respect was unacceptable.

The "essential train of thought" of these judges was in fact to totally ignore the true factual and legal situation in terms relevant to the decision and to give the press and thus the public the impression that the data of the PEI was "valid" and the Covid-19 injections are not associated with any serious danger to the life or health of the soldiers.

To say so is simply a lie. Making this claim the basis of a judicial decision is perverting the law.

**It is significant that the judges rejected here do not specifically address the specific allegations in this regard in the justifications for this side's hearing complaint. This once again emphatically reinforces the concern of bias.**

To avoid repetition, reference is again made to the justifications for the complaint about the hearing and the application for bias.

I will briefly summarize what was and is to be "considered" here in particular:

The judges of the 2nd military service senate reproduced the legal position of the judges rejected here in their decision of August 18, 2022 in another parallel military complaints procedure regarding BVerwG 1 WB 46.11 and 1 W-VR 15.22 under paragraph number 21 as it was also given by us - the complainant and his authorized representative - has been recorded.

Because in this resolution of August 18, 2022, the press release of the 1st Military Service Senate regarding its decision of July 7, 2022 under RN 21 is summarized to the effect that this Senate sees itself "not bound by its assessment ... in the sense of a fundamental decision that also prejudices future procedures". . At the same time, he emphasizes that "a permanent order such as the one in the form of the obligation to vaccinate against

COVID-19 can be used if the circumstances changed **disproportionate and therefore incorrect** be." On the basis of a "current state of knowledge" could then "reassess the proportionality of the measures".

I don't know how the soldiers out there feel when they have to read this, but the last sentence made me laugh out loud. It's really great what could only happen if such judges at some point - again detached from the legal situation of § 17 a SG (?) - appreciate the "discretion" and "proportionality", especially if even the "current state of knowledge" has not yet been sufficient to affirm the requirements of Section 17 a (4) sentence 2 SG (which does not provide for discretion).

It may be the case that phrases like "Now let faith, hope, love abide, these three..." (1 Cor 13:1 ff.) can keep people alive even in dark times. After the event on July 7th, 2022, no soldier will ever think of referring such a message to these judges of the 1st military service senate of all people.

And it is really most unfortunate that Dr. Häußler also chairs the 2nd military service senate and is thus connected to the judges of the senate, who now also have to decide on his bias.

We, too, can only understand the press release of the 1st Military Service Senate on its decision in the military complaints proceedings regarding BVerwG 1 WB 5.22 and BVerwG 1 WB 2.22 of July 7th, 2022 to mean that the judges of the 1st Military Service Senate who were rejected here gave the complainants and the public want to say that a judge can suspend the entire written law (including international and European law and the Basic Law) and thus also the mandatory law, considering that he grants himself the "discretion" to do so.

In other words: the "essential train of thought" of the 1st Military Service Senate in the proceedings on BVerwG 1 WB 5.22 and BVerwG 1 WB 2.22 of July 7th, 2022 to the public was probably that judges even where the authorities - as in § 17 a para. 4 sentence 2 SG - were not granted any discretion in the standard are now able to suspend mandatory law with any abstract considerations on discretion and proportionality that are totally detached from the content of the respective norm, by simply reading discretion into a norm where there is no discretion at all.

The German administration of justice was not aware of it until then, that judges can claim priority of validity of acts of judicature over acts of legislation with the apparently newly created legal concept of the "principle of unlimited discretion".

After all, according to Article 1(3) and Article 20(3) of the Basic Law, judges are actually bound by fundamental rights and by law and order. Because that was the core of the incomprehensible arbitrariness of the 1st military service senate in the decision of July 7th, 2022, the "essential train of thought", so to speak.

So is this the new form of separation of powers and the now decisive guideline for judicial finding of justice, also for federal judges? In the sense of "We grant ourselves discretion everywhere, even where the law does not provide for any, and whatever the law may contain: what the (changed) circumstances, as we perceive them, dictate to us is proportionate."?

We would all have failed every fundamental rights exam in the 1st law semester if the given exam facts had undisputed the considerable danger of the Covid-19 injections to the life and limb of the soldiers and the mandatory content of § 17 a paragraph 4 sentence 2 SG (which allows no discretion !!!!) would have been overridden by us in the solution with the (corresponding) consideration:

And if a ministry wants to try out completely new and experimental gene technologies in the soldiers with no authority to issue regulations and only with administrative regulations, then that is, according to the judge's discretion... proportionate, no matter what the consequences are. When the superior gives the order, the soldier has to follow."

It should be recalled that Section 17 (4) sentence 2 SG has the following clear wording: "Not reasonable is a medical measure that is associated with a significant risk to life or health." Terms that provide discretion for the legal consequences (such as "can") can be found there **def. Not.**

Why is "discretion" spoken here in general and in relation to § 17 a para. 4 SG? We are all really looking forward to the written justification for this. This reasoning for the decision is likely to receive the predicate "historical" in the foreseeable future.

In view of the complainants' presentation in the aforementioned proceedings, the clear facts - in particular regarding the "vaccination" death statistics of the Covid 19 injections - and the downright frightening findings from the survey of the representatives of the RKI and PEI, how can one deny that these Covid -19 injections are associated with extremely significant and very concrete dangers to the life and (!) health of all soldiers?

Where does Section 17 a (2) No. 1 SG grant discretion?

Where does § 17 a paragraph 1 SG grant discretion?

Why does the violation of the citation requirement in § 17 a SG with regard to the right to life leave room for "discretion"?

Where do the barriers shown, which result from the named fundamental rights, European and international law and the Nuremberg Code, allow for discretion? The Nuremberg Code is to be checked independently of § 17 a SG.

When were the soldiers correctly informed?

How does the coercion of soldiers affect the effectiveness of their "consent" to these injections?

Can and may the Respondent, without the authority to issue ordinances and with internal regulations that ultimately only have the legal quality of administrative regulations, grant themselves a discretion that makes § 17 a SG a kind of "overall discretionary" norm for the Respondent?

Questions upon questions, the answers to which the judges rejected here will foreseeably refuse and hide in a written justification so that the public can be misled about the true legal situation, in the sense: "What we don't talk about doesn't exist."

But maybe - at some point - the judiciary will show some understanding, once the unvaccinated soldiers have been "vaccinated" or have left the service. Even if these injections - as has long been generally known - have no benefit, prevent anything or mitigate anything: the genetic engineering experiment obviously has to go on first until the "circumstances" - whatever they may be - have "changed". .

The champagne can continue to flow freely on the executive boards of the pharmaceutical giants. The sales are secured for now. Or so it seems.

So is that the message from the military service senates that abstract considerations of discretion and proportionality that are detached from the content of the respective norms can ultimately completely abolish any (protective) norm at any legal level?

If so? Why then do we still have a written right in the form of § 17 a SG?

**The judges who were rejected here did not even begin to take a position on this in their official statement, although they had been asked to do so.**

In view of the clear wording of Section 17 a (4) sentence 2 SG, the judges who were rejected here could have ended their examination early and granted the complaints of the complainants in these and all comparable military complaint proceedings against the vaccination obligation of soldiers and should have granted them.

Nobody, not even the Federal Constitutional Court, denies that these Covid-19 injections pose a significant risk to life or health.

In this context, the distribution of the burden of proof according to § 84 AMG should be pointed out again, where it says:

"(2) 1Isthe medicinal product used is suitable, according to the circumstances of the individual case, to cause the damage, it is presumed that the damage was caused by this medicinal product."

The Bundeswehr would therefore have had to prove that all soldiers who became (seriously) ill or died in connection with the forced Covid 19 injections were not injured as a result of these injections.

If she hasn't, she can't either.

Again: The complainants presented more than just sufficient, unrebutted and factually irrefutable statements about these considerable dangers.

According to the statistics of the PEI, these Covid-19 injections have even led to a large number of deaths and very serious illnesses.

The Respondent ultimately had to confirm these considerable dangers in the proceedings with his own data. The data was clear: total explosion of diseases in the Bundeswehr since the start of the Covid-19 injections in November 2021.

The BVerwG could have put an end to this madness. But it hasn't. It gave its blessing to this Covid-19 "vaccination" agenda and is ultimately jointly responsible for everything that has been brought to people's suffering by these Covid-19 injections since July 7th, 2022.

If the world had known that these Covid-19 injections are so dangerous that no soldier - or any other soldier - could be expected of them, then the madness would have been over. The high in the shares of the pharmaceutical giants and the careers of all supporters of this "vaccination" campaign, of course. It could have been over. Would have.

And so the suffering and death go on. It's even getting worse as the EMA is now even allowing new "vaccines" untested.

An article by ScienceFiles dated September 5, 2022 states, among other things:

Betrayed and sold: 4,240,325 reports of side effects after COVID-19 "vaccination" and EMA still allows new "vaccine" UNAUTHORIZED

We're beginning to feel like a record stuck in the same groove.

Week after week we report incredibly high numbers of side effects that are reported after COVID-19 gene therapy / vaccination, and a maximum of 10% to 20% of the side effects that actually occur are reported, and week after week those responsible do the political circus and their willing helpers in the regulatory agencies responsible for overseeing the SAFETY of the vaccines as if the immense number of side effects reported did not exist.

Since the start of the vaccination experiment, the WHO database has swelled to 4,240,325 reports that relate to a side effect that occurred after a COVID-19 vaccination / gene therapy. Although the number of "vaccinations" currently being carried out has decreased significantly, the number of side effects reported after COVID-19 vaccination / gene therapy continues to rise happily. Since our last report 14 days ago, 58,064 reports have been added to the WHO database. 58,064 people who have developed a condition, often

enough a serious illness, after a COVID-19 vaccination / gene therapy and whose fate continues to be COMPLETELY ignored by those responsible. They are just collateral damage on the way to the great vaccine triumph, from which one increasingly gets the impression that it is only reflected in profits for the manufacturers of the alleged vaccines. And just like the European Medicine Agency (EMA) or the US FDA or the UK MHRA wanting to add Insult to Injury, the "new" gene therapies from Moderna and Pfizer/Biontech that are attached to a Variant of Omikron are adapted, which there are now hardly any more, from the Approval authorities waved through. As if there weren't the many side effects that the many people reporting health damage after the largely useless COVID-19 vaccination / gene therapy..."

Source:

<https://sciencefiles.org/2022/09/05/verraten-und-verkauft-4-240-325-messengers-of-side-effects-after-covid-19-vaccination-and-ema-leave-yet-new-vaccine-untested-to/>

In another article on achgut.com from August 29th, 2022 there is another informative article that deals with the topic "Excess mortality and vaccination campaign in Germany". There it says:

### **"Excess mortality and vaccination campaign in Germany**

**By Andreas Zimmerman.**

**A study published in mid-August is the best methodologically so far on the subject of all-cause mortality during the "pandemic". The content is absolutely disturbing.**

On August 10th, the educator Prof. Dr. Christof Kuhbandner (University of Regensburg) and the mathematician Prof. Dr. Matthias Reitzner (University of Osnabrück) one investigation on excess mortality in Germany 2020-22.

The study is the best methodologically so far on the subject of general mortality during the "pandemic". The authors emphasize that the diagnosis "death from COVID" is not useful for 2020/21 because of numerous misdiagnoses and that a general measure is also needed for the years 2021 and 2022; we will see later why. This measure is the general mortality, for which there is excellent data in Germany. The authors refer to these.

Unlike many previously published studies on excess mortality, the authors use actuarial Procedures that offer the best available methods for this question and are also used by the mathematicians (actuaries) of life and health insurance and are accepted by the regulator (BAFIN). In particular, the authors use historical trends, actuarial life tables, parameter and modeling sensitivity, and confidence intervals. They look at the different age groups, independent variables as factors and the development of stillbirths. The results are amazing. While there was no significant excess mortality in the "pandemic year" of 2020 (at the end of which herd immunity had long existed), in 2021 there was massive excess mortality in the young age groups under 70 of at least 3 to 10 percent above the expected level.

**In young age groups from April 2021 a very clear monthly excess mortality**

From the point of view of the influence of the modeling and parameterization assumptions, the authors show that the selection of the reference life tables and the use of the longevity trend in the analysis for 2020 has a decisive effect on the question of the existence of excess mortality. The effect is smaller for 2021, with almost all reference mortality tables showing a significant excess mortality. While the difference between the number of dead in 2020 and the statistically expected number was only 0.28 standard deviations, it was more than 2 standard deviations for 2021. This is a huge value, for example, for the intelligence quotient, this is 30 IQ points (if you have an IQ of 130, you are 2 standard deviations from the mean value of 100 and are already among the 2 percent most intelligent).

The authors show a very clear monthly excess mortality in young age groups from April 2021, which only decreased again in 2022. This increase can also be seen in stillbirths. Among the 60- to 79-year-olds there was already a high excess mortality from the beginning of 2021, which continues to this day with certain fluctuations. This is the age group with the most massive vaccination and booster coverage.

The authors state clearly that there was no significant excess mortality in 2020. The authors do not explain the extremely significant excess mortality from April 2021 (for those over 60 from January), which depending on the reference mortality table and assumptions on the longevity trend for 2021 totals 25 to 45 thousand.

### **What the authors don't write**

In any case, the excess mortality cannot be explained by COVID. Firstly, herd immunity should have been achieved by January 2021, secondly, the infection fatality rate of the pathogen SARS-CoV-2 is far too low to explain the excess mortality among young people to the extent observed - for those under 60 years of age, the IFR below 1 in 5,000 and then falls further with age; young people show no mortality from the virus.

In my opinion, the only factor that can explain the phenomenon is the vaccination campaign. The authors leave this question open. We but have to assume that the modRNA- and cDNA-based vaccines in every 1,000. up to 2,000. cause death within the first year after "full vaccination" (two doses). According to the authors' very well thought-out estimates, in 2021 we had 25 to 45 thousand more deaths than expected. With around 50 million people who have received at least two doses of the vaccine, we have to reckon with 25 to 50 thousand vaccine deaths. The figures agree well and include vaccine-killed newborns but not vaccine-induced abortions. It is extremely plausible that the vaccination campaign explains the excess mortality.

The study cannot be used for the non-fatal but disabling vaccination side effects because it only considers the number of deaths. However, according to the Charité side effect study, which has since been stopped, it can be assumed that this group of people includes at least 350 to 500 thousand people.

Evidence: Expert testimony from Prof. Dr. Christof Kuhbandner, as before

There are many comparable publications on significantly increased death rates in connection with the start of the Covid-19 "vaccination" campaign, see:

In a post on corona-blog.net from June 28, 2022 – i.e. from before July 7, 2022 – it says, among other things:

"From the summer of 2021 we will see a significantly and significantly increased number of deaths (15% or 20% with a forecast standard deviation of 4% in the summer months) compared to the extrapolation of the previously stable, regular and therefore very easy to extrapolate course of the number of deaths of the indicator -Group of people (Federal State of Bavaria, 65 to 75 years). The coincidence in time with the Corona "vaccination" campaigns indicates a causal connection. Anyone who doubts that the so-called "vaccinations" (actually they are gene therapies) are the cause of the conspicuously increased number of deaths, may find and name other mechanisms for this, and communicate them below in the freely accessible comment area."

Source:

<https://corona-blog.net/2022/06/28/dramatic-increase-of-deaths-seit-beginning-of-the-so-called-corona-vaccinations-in-the-indicator-persons-group/>

So devastating are the consequences of mass Covid-19 injections. There has even been significant excess mortality in this country, which cannot be explained in any other way.

It is also worth reading the following fundamental comment in the aforementioned source:

"Real, free science that has been successful for centuries thrives on constant questioning and doubting, on facts and on open discourse. So-called "fact checkers", the planned Orwellian-style Ministry of Truth and, in anticipatory obedience, censorship in "social" media and even in magazines that have had a reasonably good reputation so far...are the complete opposite of this and a throwback to the Middle Ages with the dogmatic non-culture, in the tyrants in power at the time presumed to define what was "good" and "right"."

Questioning and doubting was made very easy for the judges rejected here. The presentations of the complainants and their experts and the questioning of the representatives of the RKI and PEI provided all the sources, facts and insights that they could have wished for for a rock-solid and basically irrefutable justification for the approval of the complainants' complaints.

However, according to the "essential train of thought" of these judges, the requirements of Section 17 a (4) sentence 2 SG should not be met.

People around the world are dying like flies from these injections, many more people are becoming seriously ill, succumbing to infirmity, and are likely to be marked for life. But from the point of view of these rejected judges, all of this does not mean that such facts have to be "considered" in favor of the judges.

If the judges rejected here did not even realize that these Covid-19 injections are highly dangerous, then they must have simply slept through significant parts of the presentation and the taking of evidence – unless they deliberately ignored the present presentation and the taking of evidence. A fair hearing is not granted in this way, and a fair trial is made impossible.

From the point of view of the complainant, when it came down to it, on July 7th, 2022, these judges in truth probably only “considered” one thing: the political interest, which since March 2020 has apparently only been an expression of the interests of the pharmaceutical industry and its shareholders .

So the judges who were rejected here cobbled together an oral justification for 7/7/2022 that sounded like it was intended only for the federal government and the uncritically pro-government mainstream press that has subscribed to this government's agenda. Since March 2022, even the public media have been increasingly reporting on vaccine damage, so it was apparently high time to "calm down" the government press and thus the public.

That was too late. As is well known, the Federal Minister of Health is under great pressure because he has obviously lied to the public with statements such as that these Covid 19 injections are “free of side effects”. He of all people should know better.

Representing many comparable sources, only these are referred to:

[https://www.allgemeine-zeitung.de/politik/deutschland/coronavirus-impfung-doch-nicht-nebeneffektsfrei\\_25588664](https://www.allgemeine-zeitung.de/politik/deutschland/coronavirus-impfung-doch-nicht-nebeneffektsfrei_25588664)

<https://www.berliner-zeitung.de/news/schwere-nebeneffekten-gesundheitsministerium-veroeffentlicht-falsche-zahlen-paul-ehrlich-institut-corona-impfung-biontech-karl-lauterbach-li.248896>

Statements such as "The data from the PEI are valid", since they turned the taking of evidence upside down, could only have served the purpose of being disseminated by the press in such a way that stock prices would not falter.

Long term will not help the CEOs of BioNTech. The legal workup will come. If not in this process, then in another. In an emergency – I allow myself this personal remark – through God himself. The soldiers have to hope for his help rather than for this 1st military service senate. Until then, may the soldiers maintain their health and then see if the defense "I'm scholzing now. I can't remember." still helps. The consolation of faith also consists in the fact that no one can bypass God, not even an official who behaves as if he believed something else.

In the interests of the life and health of the soldiers, the fact that these Covid-19 injections are associated with extremely serious dangers to life and health would be reason enough to reopen the proceedings and take evidence to continue.

We should then also listen to all of the "vaccine" impaired soldiers that we have already named. By then at the latest it should be clear: Even a botched life is one victim too many. A human life counts more than sales of the pharmaceutical industry.

Of course we must then continue with other, impartial judges.

Such handling would be mandatory here if the courts are still aware of their duty to protect themselves from life.

My statement does not preclude the other authorized representatives from also submitting a statement on the official statements within the set period.

Schmitz  
Lawyer