

Mandatory mRNA vaccination and PCR testing potentially illegal and punishable

[My Dundas Valley](#), February 20, 2021

By: Lech Biegalski



Much has been written on this topic and it would be difficult to summarize it all in one short article. Policies differ from place to place and so is social dynamic. I have been following the “pandemic”, the stats, the restrictions, the related requirements, and the official policies in several countries but here I would like to focus on Canada and the province of Ontario.

In Ontario, the pandemic crisis is managed by the Liberal federal government and the Conservative provincial government. Unfortunately, there is little, if any,

difference between these governments, when it comes to the “pandemic” policies. New Democrats don’t stay far behind the two. All three are chirping in the same key. I am aware of some individual MPs and MPPs, as well as some specialists in related fields, who privately are critical of the official narrative but are afraid of political and professional consequences, if they take a stand publicly.

There are, of course, exceptions – independent Ontario [MPP Randy Hillier](#) who represents the riding of Lanark-Frontenac-Kingston, constitutional [lawyer Rocco Galati](#) of Toronto, as well as a few courageous scientists and doctors who voice their own opinions in the highly censored debate on this topic. I agree with the opinion that our Prime Minister has “no substance”. I believe that he is driven by a mixture of globalist and leftist ideologies, and steered “from behind”. It seems that our Ontario Premier has also surrendered his leadership and is allowing unelected lobbies to control public policies.

This picture is supplemented by a highly coordinated choir of mainstream media that present one-sided narrative and seem to specialize in fear mongering. Powerful interest groups are using the “pandemic” as a vehicle to increase their wealth and implement other political, economic, and social agendas – the globalization, the one-world government, the New Normal, the Great Reset, the transfer of wealth, the elimination of middle class, the elimination of cash and cash transactions, the implementation of totalitarian surveillance and control over the entire society, and the depopulation. Citizens are divided – some skeptical and angry, others disoriented and scared. Everybody is tired and waiting for the return of the old and familiar “normal”. Everybody, except for the media and some politicians who keep discovering new obstacles, new mutants, and new “waves”.

Official stats and the reality are incompatible. The numbers do not justify the “pandemic” status and include cases of death “with Covid”. They also include deaths caused by other medical conditions. For example, a victim of a motorcycle accident or a person who was hit by a bus, whose PCR test showed dead fragments of coronavirus RNA remaining after a flu they had had two years earlier, will be included

in statistics as Covid-19 deaths. The same cause of death will be included in death certificates of people whose PCR tests returned false positive results.

The City of Hamilton [Status of Covid-19 cases webpage](#) includes the following criteria:

**Total cases include both confirmed and probable cases.*

***This measure refers to the number of COVID-19 cases who died. Deaths are included whether or not COVID-19 was determined to be a contributing or underlying cause of death.*

****Other cases represent those which were unable to be located despite multiple efforts by Hamilton Public Health Services or were monitored by another health authority.*

In addition to the above “criteria”, the Covid-19 statistics (cases and deaths) are based on the results of the highly unreliable RT-PCR test. They have not been corrected, even though the World Health Organization (WHO) had recently admitted that the test was giving a large number of false positives due to a wrong procedure being used (excessive number of amplification cycles / Ct threshold). It seems that the government is not correcting the wrong data because it would create a necessity to lift the lockdowns, restrictions, and other “pandemic” measures. This raises legitimate questions about the real goal of the official policies related to Covid-19.

After this long introduction, I am going to narrow this article to several legal aspects of the so called “pandemic” and the related official policies:

Individual Human Rights

Individual rights are clearly outlined by a few documents of the United Nations, which hold the status of international law. Some are also outlined by Canadian laws. Although international law does not take precedence over national laws, countries that ratify international agreements assume responsibility and express obligation (often included in the language of these agreements) to include them in their legal systems and apply them in everyday practice.

Following, are some of the laws that apply to the restrictions and policies introduced by Canadian and Ontario governments in order **“to protect public health by taking comprehensive measures to prevent the introduction and spread of communicable diseases.”** – ([Quarantine Act, 2005](#)). A careful assessment and evaluation need to be conducted with respect to the potential illegality of some of the pandemic measures forced by the governments on Canadian citizens and Canadian businesses.

Charter of the United Nations:

Art. 55 – With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: /.../ c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Universal Declaration of Human Rights:

Art. 3 – Everyone has the right to **life, liberty and security** of person.

Art. 5 – No one shall be subjected to **torture or to cruel, inhuman or degrading treatment or punishment**.

Art. 9 – No one shall be subjected to **arbitrary arrest, detention or exile**.

Art. 12 – No one shall be subjected to arbitrary interference with his **privacy, family, home or correspondence**, nor to attacks upon his **honour and reputation**. Everyone has the right to the protection of the law against such interference or attacks.

Art. 13 – (1) Everyone has the right to **freedom of movement and residence** within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Art. 17 – (1) Everyone has the right to own **property** alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Art. 18 – 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 teaching, practice, worship and observance**.

Art. 19 - Everyone has the right to **freedom of opinion and expression**; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas **through any media and regardless of frontiers**.

Art. 20 – (1) Everyone has the right to freedom of **peaceful assembly** and association.

Art. 26 – (1) Everyone has the right to **education**. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be **compulsory**. Technical and professional education shall be made **generally available** and higher education shall be **equally accessible** to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of **respect for human rights and fundamental freedoms**. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) **Parents** have a **prior right to choose** the kind of education that **shall be** given to their children.

Art. 27 – (1) Everyone has the right **freely to participate in the cultural life of the community**, to enjoy the arts and to share in scientific advancement and its benefits.

Art. 28 – Everyone is entitled to a **social and international order** in which **the rights and freedoms** set forth in this Declaration can be **fully realized**.

Art. 30 – Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

International Covenant on Civil and Political Rights:

Art. 4 – 1 . In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

Art. 6 – 1 . Every human being has the inherent **right to life**. This right shall be **protected by law**. No one shall be arbitrarily deprived of his life. /.../

3. When **deprivation of life constitutes the crime of genocide**, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the [Convention on the Prevention and Punishment of the Crime of Genocide](#).

Art. 7 – No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, **no one shall be subjected without his free consent to medical or scientific experimentation**.

Art. 12 – 1 . Everyone lawfully within the territory of a State shall, within that territory, have the right to **liberty of movement and freedom to choose his residence**.

2. Everyone shall be free to leave any country, including his own.

3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.

4. No one shall be arbitrarily deprived of the **right to enter his own country**.

Art. 17 – 1 . No one shall be subjected to arbitrary or unlawful **interference with his privacy, family, home or correspondence**, nor to unlawful attacks on his **honour and reputation**.

2. Everyone has the right to the **protection of the law** against such interference or attacks.

Art. 18 – 1 . Everyone shall have the right to **freedom of thought, conscience and religion**. This right shall include freedom to have or to adopt a religion or belief of his choice, and **freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching**.

2. No one shall be subject to **coercion** which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the **liberty of parents** and, when applicable, **legal guardians** to ensure the **religious and moral education** of their children **in conformity with their own convictions**.

Art. 19 – 1. Everyone shall have the **right to hold opinions** without interference.

2. Everyone shall have the right to **freedom of expression**; this right shall include freedom to **seek, receive and impart information and ideas of all kinds**, regardless of frontiers, either **orally, in writing or in print, in the form of art, or through any other media of his choice**.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Art. 21 – The right of **peaceful assembly** shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Art. 26 – All persons are equal before the law and are entitled without any discrimination to the **equal protection of the law**. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective **protection against discrimination on any ground** such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or **other status**.

International Covenant on Economic, Social and Cultural Rights:

Art. 2 – 1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the **full realization of the rights** recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised **without discrimination of any kind** as to race, colour, sex, language, religion, **political or other opinion**, national or social origin, property, birth or **other status**.

Art. 6 – 1. The States Parties to the present Covenant recognize the **right to work**, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to **safeguard this right**.

2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, **policies and techniques to achieve steady economic, social and cultural development and full and productive employment** under conditions safeguarding fundamental political and economic **freedoms** to the individual.

Art. 12 – 1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of **physical and mental health**.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full

realization of this right shall include those necessary for: /.../

(d) The creation of conditions which would **assure to all medical service and medical attention in the event of sickness.**

Art. 13 – 1. The States Parties to the present Covenant recognize the right of everyone to **education**.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

(a) Primary education shall be **compulsory and available free to all**;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made **generally available and accessible to all** by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made **equally accessible to all**, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education; /.../

Art. 15 – 1. The States Parties to the present Covenant recognize the right of everyone:

(a) To take part in **cultural life**;

Art. 28 – The provisions of the present Covenant shall extend to **all parts of federal States without any limitations or exceptions**.

UNICEF Convention on the Right of the Child:

Art. 28 – 1. States Parties recognize the right of the child to **education**, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education **compulsory and available free to all**;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them **available and accessible to every child**, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education **accessible to all** on the basis of capacity by every appropriate means; /.../

(e) Take **measures to encourage regular attendance at schools** and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention. /.../

Art. 29 – 1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of **respect for human rights and fundamental freedoms**, and for the principles enshrined in the Charter of the United Nations; /.../

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article /.../

Canadian Charter of Rights and Freedoms, (Constitution Act, 1982, Part 1)

Sec. 2 – Fundamental Freedoms

Everyone has the following fundamental freedoms:

- (a) freedom of **conscience and religion**;
- (b) freedom of **thought, belief, opinion and expression**, including freedom of the press and other media of communication;
- (c) freedom of **peaceful assembly**.

Sec. 6 – Mobility of Citizens, Rights to move and gain livelihood

(1) Every citizen of Canada has the right to enter, remain in and leave Canada;

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

- (a) to move to and take up residence in any province; and
- (b) to pursue the gaining of a livelihood in any province.

Limitation: The rights specified in subsection (2) are subject to

(a) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence;

Sec. 7 – Life, liberty and security of person

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Sec. 9 – Life, liberty and security of person

Everyone has the right not to be arbitrarily detained or imprisoned.

Sec. 10 – Arrest or detention

Everyone has the right on arrest or detention

(c) to have the validity of the detention determined by way of habeas corpus and to be released if the detention is not lawful.

Sec. 12 – Treatment or punishment

Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Sec. 15 – Equality before and under law, equal protection and benefit of law

(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Sec. 24 – Enforcement of guaranteed rights and freedoms

(1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

Sec. 31 – Legislative powers not extended

Nothing in this Charter extends the legislative powers of any body or authority.

Sec. 32 – Application of Charter

(1) This Charter applies

- (a) to the Parliament and government of Canada in respect of all matters within the authority of Parliament including all matters relating to the Yukon Territory and Northwest Territories; and
- (b) to the legislature and government of each province in respect of all matters within the authority of the legislature of each province

Sec. 36 – Commitment to promote equal opportunities

- (1) Without altering the legislative authority of Parliament or of the provincial legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the legislatures, together with the government of Canada and the provincial governments, are committed to
 - (a) promoting equal opportunities for the well-being of Canadians;
 - (b) furthering economic development to reduce disparity in opportunities; and
 - (c) providing essential public services of reasonable quality to all Canadians.

Exceptions

Some of the above rights are subject to certain **exceptions and limitations**. For example, certain rights “may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.” In the context of **limitations and measures** that are implemented under the umbrella of the pandemic in order to protect public safety, public health and the fundamental rights and freedoms of others, it seems essential that the **credibility of the pandemic** is established and that the measures imposed by the state and local authorities are **healthy and respectful of fundamental human rights and inherent human dignity**. In my opinion, and in the opinion of many others, these criteria are not being met or clearly established.

Limitations of techniques used to screen people

The Quarantine Act (S.C. 2005, c. 20):

- 4. Purpose** – The purpose of this Act is to protect public health by taking comprehensive measures to prevent the introduction and spread of communicable diseases.
- 5 (1) Designating analysts and certain officers** – The Minister may designate qualified persons, or classes of qualified persons, as analysts, screening officers or environmental health officers.
- 14 (1) Screening technology** – Any qualified person authorized by the Minister may, to determine whether a traveller has a communicable disease or symptoms of one, use any screening technology authorized by the Minister **that does not involve the entry into the traveller's body of any instrument or other foreign body**.

The Canadian **Quarantine Act** serves the same purpose as the restrictions and measures introduced by the governments to combat the Covid-19 pandemic, namely, to protect public health by taking comprehensive measures to prevent the introduction and spread of communicable diseases. It seems only reasonable to conclude that the measures applied by our governments to combat the Covid-19 pandemic are (or ought to be) subject to the same limitations as those listed in Point 14 (1) of the Quarantine Act. The use any screening technology authorized by the Minister **must not involve the entry into the tested person's body of any instrument or other foreign body**. This limitation and restriction is not being observed in screening with the RT-PCR test.

The collection of cells from the back of the pharynx, approached through the nose or mouth, must be performed by a specialized and trained caregiver. It is NOT PAINLESS! This sample may cause bleeding, damage to the pharyngeal (surface) mucous membrane, and/or the nasal mucous membrane if approached through the nose. [\[Source\]](#)

This is a risky technique, as it may cause injury. I was tested with the RT-PCR technology twice. After the second test, my nasal mucous membrane was injured and I was bleeding from my nose for three days. The healing was probably prolonged by the blood thinner injections that I was receiving at the hospital to lower the risk of a heart failure.

Regardless of the risks involved, the RT-PCR test should not be authorized (or mandatory), because it involves the entry and penetration of the tested person's body with the swab – in order to collect the sample. By extension, injection of a vaccine also constitutes entry into the person's body of an instrument and other foreign body (the actual mRNA "soup"). Vaccines serve the same purpose as quarantine, namely, they protect public health and prevent the spread of communicable diseases. Therefore, they should be subject to the same limitations.

Individual Rights vs. Collective Rights

Limitations of individual human rights and implementation of measures that, in some cases, are unhealthy and degrading, (for example the requirement to wear masks), are being justified by necessity to protect collective public safety, health, and morals. Measures applied by the governments and corporations suggest that collective safety is more important than individual rights and freedoms. However, in case of a pandemic, this priority is not consistent with international law:

[UNESCO Universal Declaration on Bioethics and Human Rights:](#)

Article 3 – Human dignity and human rights

1. Human dignity, human rights and fundamental freedoms are to be fully respected.
2. The interests and welfare of the individual should have priority over the sole interest of science or society.

I could not say it better.

Personal Responsibility and Liability

[The Nuremberg Code:](#)

The Nuremberg Code applies to medical experiments. It stipulates that, among other requirements,

1. The voluntary consent of the human subject is absolutely essential.

This means that the person(s) involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved, as to enable him to make an understanding and enlightened decision.

This latter element requires that, before the acceptance of an affirmative decision by the experimental subject, there should be made known to him the nature, duration, and purpose of

the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person, which may possibly come from his participation in the experiment.

The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

According to many experts in the field of medicine, immunology and virology, **the mRNA vaccine** that is being distributed and injected into unsuspecting persons around the world, **constitutes a medical experiment**. It currently is in the fourth stage of testing on humans, it has not been tested on animals, it has not been tested for a sufficient period of time to determine medium and long-term effects, it is a new technology. Some experts stress that it is not a vaccine but a synthetic pathogen designed to trigger our cells to mass-produce viruses, it has already resulted in negative and adverse outcomes, for example, anaphylactic reaction, cytokine storm and over-reaction of auto-immune system – Antibody-Dependent Enhancement (ADE) – Pulmonary Immunopathology on Challenge with the SARS Virus, illness and/or death. Some scientists warn about the risk of pathogenic priming. The experimental character of vaccination, that is currently under way, is greatly amplified by the requested and granted immunity for the pharmaceutical companies manufacturing these vaccines and the politicians in charge of combating the C-19 pandemic. If these vaccines were safe, such immunity would not be needed.

The Nuremberg Principles:

Principle I – Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.

Principle II – The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

Principle III – The fact that a person who committed an act which constitutes a crime under international law acted as a Head of State or responsible Government official does not relieve him from responsibility under international law.

Principle IV – The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

Principle VI – The crimes hereinafter set out are punishable as crimes under international law:
/.../

(c) Crimes against humanity: Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

Principle VII – Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.

Personal responsibility before international law for committing such crimes exists, **regardless of immunity** granted under internal laws. The question to be determined is, whether genocide or murder caused by vaccines, lockdowns, restrictions, and other mandatory measures, as well as by paralysis of the health care system due to wrong decisions made by the governments and by related complicity of the media, constitute **crimes against humanity**. The requirement that such crimes must be “carried on in execution of or in connection with any crime against peace or any war crime” could be reasonably recognized, if two conditions are met:

- 1) The persons involved **were or should have been aware** of such safety concerns and possibility of negative outcomes;
- 2) The persons involved, by their decisions or omissions, with help of their propaganda, their policies, and their coercive apparatus, **have contributed** to such crimes.

In such cases, it could be argued that they had consciously and deliberately planned and/or conducted a **war against their civilian populations**, especially, if experimental biological or chemical agents were used in the commission of such crimes.



About the Author:

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