



Grand Chamber hearing concerning Swiss authorities' refusal to allow poster campaign on moral grounds

The European Court of Human Rights is holding a Grand Chamber¹ hearing today **Wednesday 16 November 2011 at 9.15 a.m.** in the case of **Mouvement Raelien Suisse v. Switzerland** (Application no. 16354/06)

The case concerns the authorities' refusal to allow a non-profit organisation to put up posters featuring extraterrestrials and a flying saucer because it had engaged in activities considered immoral.

The hearing will be broadcast from 2.30 p.m. on the Court's Internet site (www.echr.coe.int). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The applicant association, established in 1977, is a non-profit association registered in Rennaz (Canton of Vaud) set up to make contact with extraterrestrials. In 2001, the association requested permission from the Neuchâtel police to put up posters featuring the faces of extraterrestrial, a flying saucer and the Raëlien Movement's Internet address and telephone number. The authorities denied permission to put up the posters on the ground that the organisation had engaged in activities that were immoral and contrary to public order. It promoted "geniocracy", a political model based on intellectual coefficient, and human cloning and had been found by a domestic court to "theoretically" advocate paedophilia and incest and had been the subject of criminal complaints about sexual practices concerning children.

The domestic courts upheld the authorities' decision. While the administrative court accepted that the organisation was entitled to freedom of opinion and religious freedom, it found that its views on "geniocracy" and its criticism of contemporary democracies were capable of undermining public order, safety and morals. The Federal Court dismissed the organisation's appeal, holding that making public space available for its poster campaign might have given the impression that the State tolerated or approved of such conduct.

The organisation complains in particular that the authorities' refusal to allow its poster campaign violated its rights under Article 10 (freedom of expression) of the European Convention on Human Rights.

Procedure

The application was lodged with the European Court of Human Rights on 10 April 2006. In its Chamber judgment of 13 January 2011, the Court held, by a majority, that there had been no violation of Article 10. On 20 June 2011, the case was referred to the Grand Chamber at the request of the applicant organisation.

¹ Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-member Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Nicolas **Bratza** (the United Kingdom), *President*,
Françoise **Tulkens** (Belgium),
Josep **Casadevall** (Andorra),
Corneliu **Bîrsan** (Romania),
Egbert **Myjer** (the Netherlands),
Mark **Villiger** (Liechtenstein),
Päivi **Hirvelä** (Finland)
András **Sajó** (Hungary),
Mirjana **Lazarova Trajkovska** ("the former Yugoslav Republic of Macedonia"),
Ledi **Bianku** (Albania),
Ann **Power-Forde** (Ireland),
Mihai **Poalelungi** (Moldova),
Nebojša **Vučinić** (Montenegro),
Kristina **Pardalos** (San Marino),
Ganna **Yudkivska** (Ukraine),
Paulo **Pinto de Albuquerque** (Portugal),
Helen **Keller** (Switzerland), *judges*,
David Thór **Björgvinsson** (Iceland),
Isabelle **Berro-Lefèvre** (Monaco),
Angelika **Nußberger** (Germany), *substitute judges*,

and also Michael **O'Boyle**, *Deputy Registrar*.

Representatives of the parties

Government

Frank **Schürmann**, *Agent*,
Alain **Tendon** and Dominique **Steiger Leuba**, *Counsel*.

Applicant organisation

Elie **Elkaim** and Nicolas **Blanc**, *Counsel*.

Philippe **Chabolz**, leader and spokesman for the Mouvement Raelien Suisse, will also attend the hearing.

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe to the [Court's RSS feeds](#).

Press contacts

echrpess@echr.coe.int | tel: +33 3 90 21 42 08

Nina Salomon (tel: + 33 3 90 21 49 79)

Emma Hellyer (tel: + 33 3 90 21 42 15)

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Kristina Pencheva-Malinowski (tel: + 33 3 88 41 35 70)

Denis Lambert (tel: + 33 3 90 21 41 09)

Petra Leppee Fraize (tel: +33 3 90 21 29 07)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.