



Three cases referred to Grand Chamber of European Court

The following three cases have been referred to the Grand Chamber of the European Court of Human Rights:

Scoppola N° 3 v. Italy, which concerns the loss of the applicant's right to vote after being banned from public office following his criminal conviction;

Mouvement Raëlien Suisse v. Switzerland, which concerns the refusal to allow the applicant organisation to put up posters featuring extraterrestrials and a flying saucer because it had engaged in immoral activities; and,

Herrmann v. Germany, which concerns the applicant's complaint about being forced to accept hunting on his land, even though he is morally opposed to hunting.

At its last meeting (20 June 2011), the Grand Chamber panel of five judges decided to refer the above three cases and to reject requests to refer 48 other cases¹.

Referrals accepted

[Scoppola N° 3 v. Italy \(no. 126/05\)](#)

The applicant, Franco Scoppola, is an Italian national who was born in 1940 and lives in Parma (Italy). He was sentenced in 2002 by the Assize Court to life imprisonment for murder, attempted murder, ill-treatment of members of his family and unauthorised possession of a firearm. Under Italian law, his life sentence entailed a lifetime ban from public office, amounting to permanent forfeiture of his right to vote.

In its [judgment](#) of 18 January 2011, the Court held, unanimously, that there had been a violation of Article 3 of Protocol No. 1 (right to free elections) to the European Convention on Human Rights.

The case was referred to the Grand Chamber at the Italian Government's request.

[Mouvement Raëlien Suisse v. Switzerland \(no. 16354/06\)](#)

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. Permission to put up the posters was denied on the ground that the Raëlien Movement had engaged in activities that were immoral and contrary to public order. It promoted "geniocracy" and human cloning and had been found to

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.

“theoretically” advocate paedophilia and incest and had been the subject of criminal complaints about sexual practices concerning children.

In its [judgment](#) of 13 January 2011, the Court held, by majority, that there had been no violation of Article 10 (freedom of expression) of the Convention.

The case was referred to the Grand Chamber at the applicant’s request.

[Herrmann v. Germany \(no. 9300/07\)](#)

The applicant, Gunter Herrmann, is a German national who was born in 1955 and lives in Stutensee (Germany). As the owner of two plots of land in Rhineland-Palatinate which are smaller than 75 hectares, he is automatically a member of the Langsur hunting association under German Federal Hunting Law (Bundesjagdgesetz). He complains about being obliged to tolerate hunting on his land even though he is morally opposed to hunting.

In its [judgment](#) of 20 January 2011, the European Court of Human Rights held, by a majority, that there had been no violation of Article 1 of Protocol No.1 (protection of property) or Article 14 (prohibition of discrimination) and no violation of Article 9 (freedom of thought conscience and religion).

The case was referred to the Grand Chamber at the applicant’s request.

Requests for referral rejected

Judgments in the following 48 cases are now final²:

Dichev v. Bulgaria (no. 1355/04), judgment of 27 January 2011;

Andrle v. the Czech Republic (no. 6268/08), judgment of 17 February 2011;

P.K v. Denmark (no. 54705/08), judgment of 20 January 2011;

S.S and Others v. Denmark (no. 54703/08), judgment of 20 January 2011;

T.N and S.N v. Denmark (no. 36517/08), judgment of 20 January 2011;

Hoffer and Annen v. Germany (no. 397/07 & 2322/07), judgment of 13 January 2011;

Siebenhaar v. Germany (no. 18136/02), judgment of 3 February 2011;

Evaggelou v. Greece (no. 44078/07), judgment of 13 January 2011;

Nisiotis v. Greece (no. 34704/08), judgment of 10 February 2011;

Societe Anonyme Tahleia Karydi Axte v. Greece (no. 44769/07), judgment of 10 February 2011;

Metalco BT v. Hungary (34976/05), judgment of 1 February 2011;

Gaglione and Others v. Italy (no. 45867/07), judgment of 21 December 2010;

² Under Article 44 § 2 (c) of the European Convention on Human Rights, the judgment of a Chamber becomes final when the panel of the Grand Chamber rejects the request to refer under Article 43.

Grossi and Others v. Italy (no. 18791/03), judgment (just satisfaction) of 14 December 2010;

Guadagnino v. Italy and France (no. 2555/03), judgment of 18 January 2011;

Plaza v. Poland (no. 18830/07), judgment of 25 January 2011;

Kupczak v. Poland (no. 2627/09), judgment of 25 January 2011;

Dobri v. Romania (no. 25153/04), judgment of 14 December 2010;

Silviu Marin v. Romania (no. 35482/06), judgment (just satisfaction) of 18 January 2011;

Hacioglu v. Romania (no. 2573/03), judgment of 11 January 2011;

Vergu v. Romania (no. 8209/06), judgment of 11 January 2011;

Dudarovy v. Russia (no. 5382/07), judgment of 10 February 2011;

Malika Dzhamayeva and Others v. Russia (no. 26980/06), judgment of 21 December 2010;

Eldar Imanov and Azhdar Imanov v. Russia (no. 6887/02), judgment of 16 December 2010;

Gisayev v. Russia (no. 14811/04), judgment of 20 January 2011;

Novaya Gazeta v Voronezhe v. Russia (no. 27570/03), judgment of 21 December 2010;

Gladkiy v. Russia (no. 3242/03), judgment of 21 Decembre 2010;

Igor Kabanov v. Russia (no. 8921/05), judgment of 3 February 2011;

Kazmin v. Russia (no. 42538/02), judgment of 13 January 2011;

Kononov v. Russia (no. 41938/04), judgment of 27 January 2011;

Kozhokar v. Russia (no. 33099/08), judgment of 16 December 2010;

Kuzmenko v. Russia (no. 18541/04), judgment of 21 December 2010;

Nasukhanovy v. Russia (no. 1572/07), judgment of 10 February 2011;

Preminyin v. Russia (no. 44973/04), judgment of 10 February 2011;

Romokhov v. Russia (no. 4532/04), judgment of 16 December 2010;

Soltysyak v. Russia (no. 4663/05), judgment of 10 February 2011;

Taymuskhanovy v. Russia (no. 11528/07), judgment of 16 December 2010;

Trepashkin v. Russia (no.2) (no. 14248/05), judgment of 16 December 2010;

Tumayeva and Others v. Russia (no. 9960/05), judgment of 16 December 2010;

Udayeva and Yusupova v. Russia (no. 36542/05), judgment of 21 December 2010;

Milanović v. Serbia (no. 44614/07), judgment of 14 December 2010;

Trdan and Č. v. Slovenia (no. 28708/06), judgment of 7 December 2010;

Haas v. Switzerland (no. 31322/07), judgment of 20 January 2011;

Bora v. Turkey (no. 14719/03), judgment of 25 January 2011;

Elawa v. Turkey (no. 36772/02), judgment of 25 January 2011;

Anthousa Iordanou v. Turkey (no. 46755/99), judgment (just satisfaction) of 11 January 2011;

Mavitan v. Turkey (no. 41613/05), judgment of 18 January 2011;

Peretyaka and Sheremetyev v. Ukraine (no. 17160/06 and 35548/06), judgment of 21 December 2010;

Dzhaksybergenov v. Ukraine (no. 12343/10), judgment of 10 February 2011.

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Press contacts

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

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)

Frédéric Dolt (tel: + 33 3 90 21 53 39)

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

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.