



Forthcoming hearings in November 2013

The European Court of Human Rights will be holding the following two hearings in November 2013:

Jeunesse v. the Netherlands, concerning the refusal to grant a residence permit to a Surinamese woman who, married to a Netherlands national with three children, did not leave the Netherlands after the expiry of her tourist visa in 1997.

S.A.S. v. France, concerning the complaint of a French national, who is a practising Muslim, that she is no longer allowed to wear the full-face veil in public following the entry into force, in April 2011, of a law prohibiting concealment of one's face in public places.

After these hearings the Court will begin its deliberations, which will be held in private. Its ruling in the cases will, however, be made at a later stage. A limited number of seats are reserved for the press. To be sure of having a place, you need to book in advance by contacting the Press Unit (+33 (0)3 90 21 42 08).

On 13 November 2013 at 9.15 a.m.: Grand Chamber hearing in the case of Jeunesse v. the Netherlands (application no. 12738/10)

The applicant, Meriam Margriet Jeunesse, is a Surinamese national who was born in 1967 and lives in The Hague.

Ms Jeunesse entered the Netherlands in 1997 on a tourist visa and continued to reside there after her visa expired. In 1999, she married a naturalised Netherlands national of Surinamese origin with whom she had already cohabited in Surinam. They had three children together. Like their father, the children are Netherlands nationals. Between 1997 and 2010 Ms Jeunesse applied five times for a residence permit. Her last three requests were dismissed, as she did not hold a provisional residence visa issued by the Netherlands mission in Surinam. In April 2010, she was placed in aliens' detention with a view to her deportation. In August 2010, she was released because she was pregnant with her third child, who was born in November 2010.

Ms Jeunesse complains in particular under Article 8 (right to respect for family life) of the European Convention on Human Rights that she was not exempted from the obligation to hold a provisional residence visa issued by the Netherlands mission in Surinam before being able to apply for a residence permit in the Netherlands. She submits that the processing of such an application could take anything from three months to a year or more and that there is no guarantee that a visa will actually be granted. She further complains under Article 8 about the refusal to grant her a residence permit in the Netherlands.

The application was lodged with the European Court of Human Rights on 1 March 2010. When lodging her application, Ms Jeunesse also complained, in particular, that the obligation to return to Surinam in order to obtain a provisional residence visa and the resulting separation from her children in the Netherlands, her placement in aliens' detention and the lack of an effective remedy breached her rights under Articles 3 (prohibition of inhuman or degrading treatment), 5 (right to liberty and security) and 13 (right to an effective remedy). She further alleged a violation of her

rights under Article 14 of the Convention, Article 3 § 1 of Protocol No. 4 and Article 1 of Protocol No. 12.

In a [decision on admissibility taken on 4 December 2012](#) a Chamber of the Court declared Ms Jeunesse's complaint under Article 8 admissible and the remainder of her application inadmissible.

On 14 May 2013, the Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber¹.

On 27 November 2013 at 9.15 a.m.: Grand Chamber hearing in the case of S.A.S. v. France (no. 43835/11)

The applicant is a French national who was born in 1990 and lives in France.

Under Law no. 2010-1192 of 11 October 2010, which entered into force on 11 April 2011, it is prohibited for anyone to conceal their face in public places.

In the applicant's submission, she is a devout Muslim and she wears the burqa and niqab in accordance with her religious faith, culture and personal convictions. As she has explained, the burqa is a full-body covering including a mesh over the face, and the niqab is a full-face veil leaving an opening only for the eyes. The applicant also emphasises that neither her husband nor any other member of her family puts pressure on her to dress in this manner. She adds that she wears the niqab in public and in private, but not systematically. She is thus content not to wear the niqab in certain circumstances but wishes to be able to wear it when she chooses to do so. Lastly, her aim is not to annoy others but to feel at inner peace with herself.

Relying on Article 3 (prohibition of inhuman or degrading treatment), the applicant complains that as it is prohibited by law, on pain of criminal sanctions, to wear a garment designed to conceal the face in public places, she risks not only incurring such a sanction but also suffering harassment and discrimination, if she wears the full-face veil. Relying on Article 8 (right to respect for private and family life), she also complains that the statutory prohibition on the wearing in public places of a garment designed to conceal the face prevents her from dressing in public as she chooses. Under Article 9 (freedom of thought, conscience and religion), the applicant complains of a violation of her right to freedom of thought, conscience and religion, as a result of the same circumstances. In her view, her inability to wear the full-face veil in public places is incompatible with the freedom to manifest her religion or belief individually or collectively, in public or in private, by worship, teaching, practice and observance of rites. Relying on Article 10 (freedom of expression), the applicant complains of a violation of her right to freedom of expression, as a result of the same circumstances and because she is thus unable to wear in public a garment that expresses her faith and religious, cultural and personal identity. Relying on Article 11 (freedom of assembly and association), she complains of a violation of her right to freedom of assembly and association, as a result of the same circumstances, and of the fact that she is prevented from assembling with others in public wearing the full-face veil. Lastly, under Article 14 (prohibition of discrimination), the applicant complains that the statutory prohibition on wearing a garment designed to conceal one's face in public places gives rise to discrimination based on gender, religion and ethnic origin, to the detriment of women who, like herself, wear the full-face veil.

¹ Under Article 30 of the European Convention on Human Rights, "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects".

The application was lodged with the European Court of Human Rights on 11 April 2011. On 28 May 2013 the Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber.

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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.