

"Pro-Vita for Born and Unborn" – Bucharest branch
Member of European Christian Political Movement



**To: European Court of Human Rights
Grand Chamber
Council of Europe
67075 Strasbourg-Cedex
France**

25 November 2009

**RE: Lautsi v. Italy
Application No. 30814/06**

President Costa,

We, "Pro-vita for Born and Unborn" Association – Bucharest Branch, non-profit organization based in Romania, fiscal code 18074434, mailing address PO Box 1 – 410 Bucharest, Romania,

Write this letter in **support of an appeal to the Grand Chamber being granted to the Italian Republic in the matter of Lautsi v. Italy, Application No. 30814/06**, in accordance with Article 43 of the European Convention of Human Rights.

The instant case raises serious questions regarding interpretation of Protocol 1, Article 2 and Article 9 of the Convention. The judgment also has major cultural implications for other Member States which go far beyond the judgment itself.

In addition to these general concerns, an appeal should be granted for the following specific reasons:

- (a) The judgment overreaches the Court's competencies with regards to respect for the cultural sovereignty of each Member State. The Crucifix is representative of the long and rich heritage of the Italian Republic and has become a staple of Italian culture. Its forced removal from public schools is a breach of customary international norms governing subsidiarity and respect for national identity. It is not the role of this Court to rid the public square of symbols representative of a nation's heritage and culture.
- (b) The judgment has created an inconsistency with the existing case-law governing Protocol 1, Article 2 by mandating that the mere general presence of Crucifixes in public schools has the power to indoctrinate, whereas this Court has not shown deference to direct instances of state interference with the ability of parents to raise their children according to their own religious and philosophical convictions (Konrad v. Germany, application no. 35504/03, Valsamis v. Greece, application no. 21787/93, Kjeldsen, Burk Madsen and Pedersen v. Denmark, application no. 5095/71; 5920/72; 5926/72). By imposing the absence of the crucifix in the public schools, the Court infringes the principle of proportionality. The judgment lacks proportion also, imposing the absence of crucifix in public schools, harming the religious attitude of the catholic majority in Italy.

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- (c) The finding of non-pecuniary damages in the amount of 5000 Euros has no legal or equitable basis, as the applicants suffered no physical, financial or moral damages. The Court should, therefore, analyze the quality of "victim" of Mrs. Lautsi, which the second Chamber failed to do.

Respectfully submitted,

Bogdan I. Stanciu
President

