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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 13/03/2025

DH-DD(2025)292

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Meeting: 1531st meeting (June 2025) (DH)

Communication from the applicant (03/03/2025) in the case of Morales v. Switzerland (Application No. 69212/17).

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

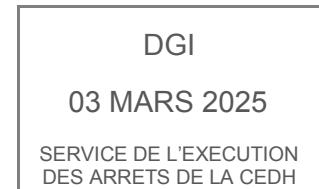
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Réunion : 1531^e réunion (juin 2025) (DH)

Communication du requérant (03/03/2025) relative à l'affaire Morales c. Suisse (requête n° 69212/17)
[anglais uniquement]

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



Mr
Gabriel Morales Abellán
Bertaweg 14
CH-4528 Zuchwil

DGI
Directorate General of Human
Rights and Rule of Law
Department for the Execution of
Judgments of the ECHR
F-67075 Strasbourg Cedex

Zuchwil, 3rd March 2025

COMMUNICATION
In accordance with Rule 9.1. of the Rules of the Committee of Ministers
regarding individual measures and the supervision of the judgement
for the applicant

Gabriel Morales v. Switzerland (69212/17)
<https://hudoc.echr.coe.int/eng?i=001-224555>

1. Introduction

This Rule 9.1 submission concerns the individual measures required for the applicant, being submitted pursuant to the Committee of Ministers' Rules for the Supervision of the Execution of Judgments concerning the lack of a hearing before the national courts in proceedings for the withdrawal of parental authority according to the judgment 69212/17 dated 09 May 2023.

2. Case summary

The member state lied to the ECHR and the Committee, when pointing out repeatedly, that "following a persistent conflict between the parents, the APCA awarded, by decision of 6 July, 2016, exclusive parental authority to the mother" - see paragraphs 5 and 6 in the judgment 69212/17, action reports DH-DD(2024)114 and DH-DD(2023)1270.

Asked for any proof of the so called persistent conflict(s) the authorities and judges of the member state are not able to point out or submit any proof nor describe the events in any way. Instead, in their written decision KES 23 942 dated 18 September 2024, they claimed that I have a mental illness. I consider this an insult and a humiliating statement without foundation, to the ongoing detriment of the familiar relationship with my son. My son is in fact being TORTURED with psychotropic substances because of a claimed "anti-authoritarian behavior" when he was 5 years old and continually humiliated and intentionally estranged from me and his spanish family, since 2016.

The regular claims of the people working in the authorities put in danger my son's health without legal or scientific basis. In fact, the authorities are only interested in DOING BUSINESS with private local contractees and therefore holding my child in bondage.

When you ask the contractors (authority) for proofs, that protection services were needed from the beginning, they are not able to do so. Instead, they might refer to reports that were falsified in 2018, 2 years after my son was forced to take amphetamines and 1 year after he was hospitalized with underweight due to the side effects of the amphetamines (Elvanse) and forced-fed.

Until today, the authorities take arbitrary measures and lie on regular basis, to enforce a harmful economic practice as described in the National Research Program 76 - welfare and coercion - <https://www.nfp76.ch/en/XNROHSTbIDUdThzs/page/findings> and <https://www.youtube.com/watch?v=VjBpuVbCJWc> (see Federal Council Beat Jans, Prof. René Knüsel and me, in French).

The court claims in KES 23 942 dated 18 September 2024 that my son demands a therapy with psychotropic substances for me. Only then he would think about meeting me. This does not reflect the situation in 2016 but instead proves that my son has been estranged and his opinion manipulated which violates the rule of law of the ECHR in the cases 40910/19 A.T. v. ITALY, 23641/17 PISICĂ v. THE REPUBLIC OF MOLDOVA and 12962/19 VYKHOVANOK v. UKRAINE from which follows that member states are obligated to take proactive measures to prevent alienation.

Switzerland's Federal Court confirmed receipt of my complaint 23. October 2024 and filed the case with reference 5A_718/2024. Until today they failed to present their proofs and reasons of the accusations against my son and me. Their decision has been pending for 4 months now.

3. Individual measures

The swiss government concludes repeatedly that no further individual or general measures are required since they promise that such violations will not occur anymore.

This information provided by the government is false. I have repeatedly appealed to agencies to enforce the ECHR judgment. They do not take my appeals seriously because, in the past, they spread the information everywhere, that there have been conflicts with my son's mother, that I have mental problems and my writings are querulous.

The purpose of my appeal to the Constitutional Court is connected precisely with the fact that the re-examination of the cases in the past depends on the emotional abuse of my son and me by the employees of the state after the violation of Art. 6.1 in 2016.

Any claim that Switzerland respected the ECHR and the Human Rights in the past is false. They will never be able to prove what never happened. The law enforcement agencies are not willing to accuse their colleagues, employees of the state, of crimes - only to ensure the good reputation of Switzerland in front of other states.

Switzerland has to prove that such violations will not occur anymore by enabling me to have contact with my son and by paying an enormous amount of immaterial damage.

4. Recommendations

Given the information set out above, I reiterate my recommendations and kindly ask the Committee of Ministers to:

- Call upon the swiss authorities to provide information about when the cases will be scheduled for review by the courts and the law enforcement agencies.
- Call on the authorities to report on what measures are being taken by the Child Protective Services to reinstate the applicant's right to meet his son and clean their reputations.
- Call on the swiss authorities to take measures to ensure that all their harmful decisions are annulled, and the applicants are immediately reinstated as dignified and wealthy members of society.
- Call on the swiss government to enable hearings and publications of voices of the civil population concerning similar cases of crimes committed by employees of local authorities with support and co-operation of swiss courts.

I remain at the Department's disposal should any additional information be required.

Sincerely,



Gabriel Morales Abellán