



Forthcoming Grand Chamber judgment in the case of Giuliani and Gaggio v. Italy

The European Court of Human Rights will be delivering a Grand Chamber judgment in the case of **Giuliani and Gaggio v. Italy** (application no. 23458/02) at a public hearing on **Thursday 24 March 2011 at 10.30 a.m.** – local time – in the Human Rights Building, Strasbourg.

This case concerns the death of the applicants' son and brother, Carlo Giuliani, which occurred when he was involved in clashes during the G8 summit held in Genoa from 19 to 21 July 2001.

Press releases and texts of the judgments will be available after the hearing, in English and French, on the Court's Internet site (www.echr.coe.int)

The applicants, Giuliano Giuliani, his wife Adelaide Gaggio and their daughter Elena Giuliani, are Italian nationals who were born in 1938, 1944 and 1972 respectively and live in Genoa and Milan (Italy). They are the parents and sister of Carlo Giuliani.

Relying on Article 2 (right to life), the applicants allege that their relative's death was caused by excessive use of force; that the adverse consequences of the use of force were not reduced as far as possible owing to shortcomings in the Italian legislative framework; that the organisation of the operations to maintain and restore public order was defective; and, finally, that the authorities did not conduct an effective investigation into Carlo Giuliani's death. Relying on Article 3 (prohibition of inhuman or degrading treatment), they further argue that the failure to lend immediate assistance to their relative after he fell to the ground, and the fact that a *carabinieri* jeep drove over his body, contributed to his death and amounted to inhuman treatment. They also complain under Articles 6 (right to a fair hearing) and 13 (right to an effective remedy) that the investigation was ineffective. Lastly, they allege that the Italian Government acted in breach of Article 38 (adversarial examination of the case) by failing to provide information to the Court or submitting inaccurate information.

The application was lodged with the European Court of Human Rights on 18 June 2002 and was declared admissible on 6 February 2007. In its [Chamber judgment of 25 August 2009](#) the Court held unanimously that there had been no violation of Article 2 regarding the allegedly excessive use of force; by five votes to two that there had been no violation of Article 2 regarding the State's positive obligation to protect life; by four votes to three that there had been a violation of Article 2 regarding the lack of an effective investigation; and, unanimously, that there had been no violation of Article 38. It also held unanimously that it was unnecessary to examine the case under Articles 3, 6 and 13. On 1 March 2010 a panel of five judges of the Grand Chamber decided to accept the requests for referral to the Grand Chamber submitted by the Italian Government and by the applicants. A [Grand Chamber hearing](#) was held on 29 September 2010 in Strasbourg (webcast available [here](#))

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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.