

ECHR 254 (2025) 03.11.2025

## Forthcoming hearing in November 2025

The European Court of Human Rights will be holding the following hearing in November 2025:

**Grande Oriente d'Italia v. Italy** (application no. 29550/17), concerning a search of a Masonic association's premises ordered in the context of a parliamentary inquiry into organised crime. Paper and digital documents, in particular a list containing the names and personal data of approximately 6,000 members of the association, were seized during the search.

After this hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage. A limited number of seats are available for the press in the hearing room. To be sure of a place, you need to book in advance by contacting the Press Unit at <a href="mailto:echrpress@echr.coe.int">echrpress@echr.coe.int</a>. If you wish to attend a hearing, we recommend reading the document <a href="mailto:How to attend a hearing">How to attend a hearing</a>.

## On 19 November 2025 at 9.15 a.m.: Grand Chamber hearing in the case Grande Oriente d'Italia v. Italy

The applicant, Grande Oriente d'Italia, is a Masonic association founded in 1805 which groups together several lodges. Under Italian law, it has the status of an unrecognised private-law association and does not therefore have legal personality.

In 2013 a Parliamentary Commission of Inquiry on the phenomenon of mafias and other criminal associations, including foreign ones (*Commissione parlamentare d'inchiesta sul fenomeno delle mafie e sulle altre associazioni criminali anche straniere*) was set up. It was mandated, among other things, to conduct an inquiry into relations between the Mafia and Freemasonry, on account of revelations emerging from various criminal proceedings.

On several occasions in 2016 the Parliamentary Commission of Inquiry asked the Grand Master of the applicant association to provide a list of its lodges' members. He repeatedly refused, on the grounds that the data was confidential and that the request was vague and unreasoned, in that it referred neither to ongoing investigations, nor to any specific crimes allegedly committed by members of the association. The Grand Master again refused to disclose names when summoned as a witness in January 2017.

In March 2017 the Parliamentary Commission ordered a search of the applicant association's premises. The purpose of this measure was to obtain a list of anyone who belonged or had belonged to a Grande Oriente d'Italia Masonic lodge of Calabria or Sicily from 1990 onwards, with their rank and role, as well as information about all the lodges of Calabria and Sicily which had been dissolved or suspended from 1990 onwards, including the names and personal files of all their members, and, lastly, any investigations carried out and decisions taken.

The applicant association's premises, including its archives, library, and the Grand Master's personal residence were searched, as were the contents of several computers. This resulted in the seizure of numerous paper and digital documents, including lists of approximately 6,000 persons registered with the applicant association, as well as hard drives, USB flash drives and computers.

The applicant association unsuccessfully challenged the search order and the seizures. The Parliamentary Commission, asked to reconsider the search order under its own procedural rules,



declined to make a ruling. Meanwhile the prosecuting authorities dismissed an application that the matter be referred to the Constitutional Court for judicial review. The prosecuting authorities also discontinued an investigation that had been opened following a criminal complaint lodged by the applicant association, noting, among other points, that the ordinary courts lacked jurisdiction over the acts of a parliamentary commission of inquiry.

The application was lodged with the European Court of Human Rights on 13 April 2017.

The applicant association complains that the search of its premises and the seizures were not "in accordance with the law" within the meaning of Article 8 (right to respect for private and family life) of the European Convention on Human Rights and that they were grossly disproportionate, arguing that the contested measures were not based on relevant or sufficient reasons, were extremely broad in scope, and lacked sufficient procedural safeguards against abuse and arbitrariness. It also relies on Articles 11 (freedom of assembly and association) and 13 (right to an effective remedy).

In its <u>judgment</u> of 19 December 2024, a Chamber of the Court held unanimously that there had been a violation of Article 8 of the European Convention. The Chamber also held, by 6 votes to 1, that there was no need to examine the applicant association's complaints under Articles 11 and 13.

On 28 April 2025 the case was referred to the Grand Chamber at the Italian Government's request1.

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## **Press contacts**

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

We are happy to receive journalists' enquiries via either email or telephone.

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30) Denis Lambert (tel: + 33 3 90 21 41 09) Inci Ertekin (tel: + 33 3 90 21 55 30)

Jane Swift (tel: + 33 3 88 41 29 04)

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.

<sup>1.</sup> 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-judges 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.