

Case referred to the Grand Chamber

At its last meeting (6 March 2023), the Grand Chamber panel of five judges decided to refer the case **Fabbri and Others v. San Marino** (nos. 6319/21, 6321/21, and 9227/21) and to reject requests to refer 11 other cases¹.

A legal summary of this case will be available in the Court's database HUDOC ([link](#)).

Referral accepted

Fabbri and Others v. San Marino (application nos. 6319/21, 6321/21, and 9227/21)

The applicants, Stellino Fabbri, Andrea Forcellini and Angelina Marro, are two San Marinese and one Italian national respectively. They were born in 1955, 2003 and 1973 respectively and live in San Marino.

The case concerns alleged delays in separate criminal investigations resulting in the alleged offences becoming time-barred.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights, the applicants complain that the time-barring as a result of the authorities' inaction led to their being unable to have their civil claims in the same matters adjudicated.

In its [judgment](#) of 13 September 2022, the Court held, by 4 votes to 3, that there had been violation of Article 6 § 1 of the European Convention on Human Rights.

On 6 March 2023 the case was referred to the Grand Chamber at the San Marinese Government's request.

Requests for referral rejected

Judgments in the following cases are now final²

Loucaides v. Cyprus (no. 60277/19), [judgment](#) of 18 October 2022

Xenofontos and Others v. Cyprus (applications nos. 68725/16, 74339/16, and 74359/16), [judgment](#) of 25 October 2022

Zeggai v. France (no. 12456/19), [judgment](#) of 13 October 2022

Mamaladze v. Georgia (no. 9487/19), [judgment](#) of 3 November 2022

Kornicka-Ziobro v. Poland (no. 23037/16), [judgment](#) of 20 October 2022

Constantin-Lucian Spînu v. Romania (no. 29443/20), [judgment](#) of 11 October 2022

Garrido Herrero v. Spain (no. 61019/19), [judgment](#) of 11 October 2022

¹ 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-member 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.

² Under Article 44 § 2 (c) of the European Convention on Human Rights, the judgment of a Chamber becomes final when the panel of the Grand Chamber rejects the request to refer under Article 43.

Muhammad v. Spain (no. 34085/17), [judgment](#) of 18 October 2022

M.T. and Others v. Sweden (no. 22105/18), [judgment](#) of 20 October 2022

Çoçelli and Others v. Türkiye (no. 81415/12), [judgment](#) of 11 October 2022

Coventry v. the United Kingdom (no. 6016/16), [judgment](#) of 11 October 2022

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe here: www.echr.coe.int/RSS/en or follow us on Twitter [@ECHR_CEDH](https://twitter.com/ECHR_CEDH).

Press contacts

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

We would encourage journalists to send their enquiries via email.

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)

Neil Connolly (tel.: + 33 3 90 21 48 05)

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.