Last updated: July 2026

San Marino

Ratified the European Convention on Human Rights in 1989

National Judge: Gilberto Felici (1 October 2018 -)
Judges' CVs are available on the ECHR Internet site

Previous Judges: Federico Bigi (1991-1996), Luigi Ferrari Bravo (1998-2001), Antonella Mularoni (2001-2008), Kristina Pardalos (2009-2018)

List of judges of the Court since 1959

The Court dealt with 64 applications concerning San Marino in 2025, of which 57 were declared inadmissible or struck out. It delivered 1 judgment (concerning 7 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2024	2025	2026*
Applications allocated to a judicial formation	24	15	9
Communicated to the Government	4	19	9
Applications decided:	28	64	7
- Declared inadmissible or struck out (Single Judge)	20	6	3
- Declared inadmissible or struck out (Committee)	3	51	2
- Declared inadmissible or struck out (Chamber)	0	0	0
- Decided by judgment	5	7	2

* January to July 2026
For information about the Court's judicial formations and procedure, see the ECHR internet site.
Statistics on interim measures can be found here.

Applications pending before the court on 01/07/2026	
Applications pending before a judicial formation:	21
Single Judge	1
Committee (3 Judges)	6
Chamber (7 Judges)	14
Grand Chamber (17 Judges)	0

San Marino and ...

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **673** Registry staff members.

Noteworthy cases, judgments delivered

Grand Chamber

Fabbri and Others v. San Marino

24.09.2024

The case concerned three individuals who participated in criminal proceedings as victims of alleged offences.

They complained that they could not have their civil claims adjudicated in those proceedings because delays in the investigations had led to the alleged offences becoming time-barred in 2020.

No violation of Article 6 § 1 (right of access to court) as concerned one of the applicants, Mr Forcellini (no. 9227/21)

Applications nos. 6319/21 and 6321/21 declared inadmissible

Buscarini and others v. San Marino

18.02.1999

Obligation for Members of Parliament to take their oath of office on the Gospels, on pain of forfeiting their seats.

Violation of Article 9 (freedom of thought, conscience and religion)

Chamber

Inhuman or degrading treatment (Article 3)

Podeschi v. San Marino

13.04.2017

The case concerned criminal proceedings brought against a politician for money laundering and his related pre-trial detention.

No violation of Article 3

No violation of Article 5 § 3 (entitlement to trial within a reasonable time or to release pending trial)

No violation of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court)

Right to liberty and security cases (Article 5)

Toniolo v. San Marino and Italy

19.11.2012

Mr Toniolo, an Italian national resident in San Marino, complained about his preventive detention in August 2009 and his subsequent extradition to Italy about a month later. Relying on Article 5 § 1 (right to liberty and security), Mr Toniolo alleged that both San Marino and Italy had been responsible for procedural irregularities in his extradition and, in particular, that his preventive detention in San Marino had been unlawful.

Violation of Article 5 § 1

Cases dealing with Article 6

Simoncini v. San Marino (no. 14396/24)

19.02.2026

The case concerned the annulment of the applicant's appointment to first-instance judge after the application of retrospective legislation.

Violation of Article 6 § 1

Violation of Article 8

Pasquini v. San Marino (no. 2)

20.10.2020

The case concerned Mr Pasquini's complaint that he had been ordered to pay damages to a fiduciary company operating in San Marino, S.M.I., on the basis of his criminal responsibility for embezzlement, even though this charge against him had been discontinued in the criminal proceedings.

Violation of Article 6 § 2

Pasquini v. San Marino

02.05.2019

The case concerned a series of proceedings over a debt which the applicant's financial company was found to owe to an individual.

No violation of Article 6 § 1 in relation to three admissible complaints, which concerned the lawfulness of a tribunal, a judge's alleged lack of impartiality, and access to a court owing to the amount of litigation fees

The Court rejected the applicant's complaint on Article 1 of Protocol No. 1 (protection of property) as out of time.

Right to a fair trial

Dondarini v. San Marino

06.07.2004

No public hearing during the appeal proceedings.

Violation of Article 6 § 1

Tierce and others v. San Marino

25.07.2000

A judge dealt with the judicial investigation and trial at first instance, then again with the investigation for the appeal hearing. Impossibility for the applicants to be heard in person by the appeal court.

Violations of Article 6

Right to a fair hearing within a reasonable time

Beneficio Cappella Paolini v. San Marino

13.07.2004

Long proceedings, in the course of which the national courts failed to rule on the question submitted to them.

Violations of Article 6 § 1

Violation of Article 1 of Protocol No. 1 (protection of property)

Cases on article 7 (no punishment without law)

Staiano c. San Marino

26.09.2019

The applicant complained under Article 7 of the Convention that she had been found guilty of an offence ("self-laundering") not provided by the domestic law at the time of the facts. At the material time, the relevant provision on money laundering was not applicable in the case of "aiding and abetting", thus the perpetrator of the predicate offence which had given origin to the assets which were eventually laundered could not be found guilty of such laundering.

Application declared inadmissible as manifestly ill-founded.

Berardi and Mularoni v. San Marino

10.01.2019

The case concerned criminal proceedings for bribery, the first of their kind in San Marino. It involved two Government officials who had allegedly received money in return for not carrying out their professional duties with respect to safety on construction sites, and the legitimac of their subsequent conviction and imprisonment.

No violation of Article 7

Cases dealing with Article 8 (right to respect of private and family life)

Pasquinelli and Others v. San Marino

29.08.2024

The case concerned the effects on the applicants – all healthcare workers – following their refusal to be vaccinated against Covid-19.

No violation of Article 8

M.N. and Others v. San Marino (no. 28005/12)

07.07.2015

The case concerned the search and seizure of documents relating to banking and fiduciary relationships.

The applicants, four Italian nationals, notably complained about a decision by the San Marino judicial authorities ordering the seizure of banking documents related to them. The decision was made at the request of the Italian prosecution authorities in the context of an on-going criminal investigation – not involving the applicants – into money laundering in Italy.

Violation of Article 8 in respect of one of the applicants, M.N.

Diamante and Pelliccioni v. San Marino

27.09.2011

The case concerned the care and custody proceedings before the San Marinese courts concerning a small child whose mother is Italian and whose father is San Marinese.

No violation of Article 8 (right to respect for private and family life)

No violation of Article 2 of Protocol Nº 4 (freedom of movement)

Noteworthy pending cases

Casali v. San Marino (nos. 12744/24 and 33586/24)

Case notified to the Government in February 2025

The applications concern criminal proceedings against the applicant in relation to a Facebook post she authored.

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