



### THE JUDGEMENT *FABRIS AND PARZIALEV. ITALY* ISSUED BY THE ECtHR

European Court of Human Rights, in its judgment of March 19<sup>th</sup>, 2020, *Fabris and Parziale v. Italy*, ruled on a case concerning the death in controversial circumstances of a detainee in an Italian prison. The judgment not only helps to clarify the content of the positive obligations incumbent on national authorities in relation to violations of Article 2 ECHR, both from a substantive and procedural perspective, but also offers some interesting insights concerning the assessment of the applicants' *victim status* in cases where the immediate victim of the alleged violation of Article 2 ECHR has died without filing an application before the European Court of Human Rights.

In particular, the judgment raises doubts because it seems contradictory with some previous judgments of the Court and because it does not seem to give adequate consideration to the specific features and to the importance of the protection of the right to life in the interpretation of the conditions of admissibility of individual applications.