FIRST SECTION

DECISION

Application no. 19366/14
Conchita NICOLAO and Maria Emanuela LAZZEROTTI

against Italy

 (see appended table)

The European Court of Human Rights (First Section), sitting on 19 March 2020 as a Committee composed of:

 Aleš Pejchal, *President,*

 Jovan Ilievski,

 Raffaele Sabato, *judges,*

and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 26 February 2014,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

1. FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants were represented by Mr M. Clara, Mr C. Pitea and Ms C. Ragni, lawyers practising in Milano.

The applicants’ complaints under Articles 8 and 12 of the Convention, concerning the refusal of the Italian authorities to register their marriage (same-sex marriage) contracted abroad and the lack of any legal recognition of their relationship, were communicated to the Italian Government (“the Government”).

The Court received the friendly-settlement declaration under which the applicants agreed to waive any further claims against Italy in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts will be payable within three months from the date of notification of the Court’s decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

1. THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify a continued examination of the application.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

*Decides* to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 9 April 2020.

 Liv Tigerstedt Aleš Pejchal
 Acting Deputy Registrar President

APPENDIX

Application raising complaints under Articles 8 and 12 of the Convention
(refusal of the Italian authorities to register their marriage (same-sex marriage) contracted abroad and the lack of any legal
recognition of their relationship)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Application no.Date of introduction | Applicant’s nameDate of birth  | Representative’s name and location | Date of receipt of Government’s declaration | Date of receipt of Applicant’s declaration | Amount awarded for non-pecuniary damageper applicant(in euros)[[1]](#endnote-1) | Amount awarded for costs and expenses per application(in euros)[[2]](#endnote-2) |
| 19366/1426/02/2014 | **Conchita NICOLAO**22/07/1967**Maria Emanuela LAZZEROTTI**27/05/1961 | Clara MassimoPitea CesareRagni ChiaraMilano | 06/02/2020 | 24/01/2020 | 5,000 | 500 |

1. .  Plus any tax that may be chargeable to the applicants. [↑](#endnote-ref-1)
2. .  Plus any tax that may be chargeable to the applicants. [↑](#endnote-ref-2)