



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

DECISION

Application no. 5098/08
S.S. META DI GARINEI PIETRO & C. against Italy
and 3 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 8 April 2021 as a Committee composed of:

Alena Poláčková, *President*,

Péter Paczolay,

Gilberto Felici, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above applications lodged on the various dates indicated in the appended table,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicant companies is set out in the appended table.

The applicants were represented by Ms Alessandra Mari, a lawyer practising in Rome.

The applicants' complaints under Article 6 § 1 of the Convention concerning the legislative interference in pending proceedings caused by the enactment of Law no. 326 of 24 November 2003 were communicated to the Italian Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Italy in respect of the facts giving rise to these applications, 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 cases.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

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 applications.

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

For these reasons, the Court, unanimously,

Decides to join the applications;

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

Done in English and notified in writing on 29 April 2021.

{signature_p_2}

Viktoriya Maradudina
Acting Deputy Registrar

Alena Poláčková
President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention

No.	Application no. Date of introduction	Applicant company's name	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary damage per applicant (in euros)	Amount awarded for non-pecuniary damage per applicant (in euros)	Amount awarded for costs and expenses per application (in euros)
1.	5098/08 23/01/2008	S.S. META DI GARINEI PIETRO & C. <i>(from 29/01/2009</i> S.S. Meta di Mencagli Pasquale Pietro & Mencagli Luciano)	26/11/2020	30/12/2020	16,055.72	900	500
2.	11260/09 24/02/2009	SOCIETA PER LA BONIFICA DEI TERRENI FERRARESI E PER IMPRESE AGRICOLE S.P.A.	26/11/2020	30/12/2020	37,809.83	900	500
3.	11266/09 24/02/2009	AGRIFOREST SOCIETA COOPERATIVA PER AZIONI	26/11/2020 <i>(as modified on</i> 4/02/2021)	30/12/2020	81,059.48	900	500
4.	45060/09 07/08/2009	ITALIAN AMERICAN MUSHROOMS S.R.L.¹	26/11/2020 <i>(as qualified on</i> 4/02/2021)	02/03/2021	47,923.21	900	500

¹ The Court takes note of the fact that, according to the parties' declarations, the amounts indicated in the table for the applicant in case no. 45060/09 will not be paid to the applicant but deducted, within 3 months from the date of notification of the Court's decision, from the sums still due by the applicant to INPS.