FIRST SECTION

DECISION

Application no. 58976/17  
Salvatore ACANFORA and Others against Italy  
and 10 other applications

(see appended table)

The European Court of Human Rights (First Section), sitting on 17 May 2023 as a Committee composed of:

Alena Poláčková*, President*,  
 Gilberto Felici,  
 Raffaele Sabato*, 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 declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases, and the applicants’ replies to these declarations,

Having deliberated, decides as follows:

1. FACTS AND PROCEDURE

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

The applicants’ complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 concerning the non-enforcement or delayed enforcement of “Pinto” domestic decisions were communicated to the Italian Government (“the Government”).

The Government submitted declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications.

The Government acknowledged the non-enforcement or delayed enforcement of “Pinto” domestic decisions. They offered to pay the applicants the amounts detailed in the appended table and invited the Court to strike the applications out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts would 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 undertook 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 Government also undertake to ensure the enforcement of the domestic decisions under consideration in the cases concerned (see appended table) within the same three-month period, and to pay any costs of the domestic enforcement proceedings.

The payment and the enforcement of the domestic decisions in the cases concerned will constitute the final resolution of the cases.

The applicants informed the Court that they agreed to the terms of the declarations.

1. 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 finds that, following the applicants’ express agreement to the terms of the declaration made by the Government, the cases should be treated as a friendly settlement between the parties.

It therefore 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 the 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 8 June 2023.

Viktoriya Maradudina Alena Poláčková  
 Acting Deputy Registrar President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1

(non-enforcement or delayed enforcement of “Pinto” domestic decisions)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Application no. Date of introduction | Applicant’s name  Year of birth or registration, where relevant | Representative’s name and location | Relevant  domestic  decision | Date of receipt of Government’s declaration | Date of receipt of applicant’s acceptance | Amount awarded for non‑pecuniary damage  per applicant  (in euros)[[1]](#endnote-1) | Amount awarded for costs and expenses per application  (in euros)[[2]](#endnote-2) |
|  | 58976/17  03/08/2017  (86 applicants) | **Salvatore ACANFORA**  1952  **Antonino ALBANESE**  1947  **Calogero ALESSI**  1949  **Francesco ALFANO**  1955  **Vincenzo AMATO**  1952  **Giacomo Rosario ANCONA**  1950  **Rosario ANZELMO**  1947  **Vito ANZELMO**  1957  **Giovanni BARTOLOTTA**  1948  **Felice BENVENUTO**  1944  **Giuseppe BORTUNA**  1958  **Ciriaco CALABRESE**  1937  **Giacinto CAMPANELLA**  1950  **Antonino CARRUBBA**  1958  **Gaetano CASTELLUZZO**  1957  **Cristofaro CELESTINO**  1951  **Paolo COPPOLA**  1941  **Mauro CORRADINO**  1949  **Antonino D’ALESSANDRO**  1940  **Antonio DAVÌ**  1954  **Francesco DI FATTA**  1939  **Antonio DI PUORTO**  1947  **Pietro FAILLA**  1951  **Antonino Romualdo FERRERA**  1943  **Salvatore FERRERI**  1949  **Vincenzo GAGLIANO**  1954  **Salvatore GARRAFFA**  1954  **Nicolò GIARDINA**  1952  **Liborio GIORDANO**  1957  **Bruno IBBA**  1950  **Giovanni INCRIVAGLIA**  1943  **Gaetano LA CORTE**  1950  **Nicolò LETA**  1951  **Pietro LIBRIZZI**  1954  **Matteo LIUZZA**  1951  **Salvatore LO MUZZO**  1955  **Natale LO PICCOLO**  1951  **Vincenzo MAGNANO**  1938  **Angelo MARINO**  1944  **Vincenzo MARINO**  1952  **Calogero MASCELLINO**  1939  **Michele MISTRETTA**  1938  **Vincenza MISURACA**  1955  **Michele MONTALBANO**  1950  **Carmelo MONTANA**  1939  **Salvatore NARO**  1940  **Salvatore NICASTRO**  1943  **Mario ODATO**  1950  **Nicolò ODDÒ**  1953  **Raimondo PACI**  1948  **Agostino PARISI**  1955  **Giuseppe PASSARELLO**  1954  **Raffaele PECORA**  1952  **Giuseppe PIZZO**  1943  **Nicola PROFETA**  1947  **Salvatore PROVENZANO**  1957  **Natale RIPELLINO**  1954  **Angelo ROSANO**  1958  **Francesco ROSATO**  1954  **Giacomo Natale SALERNO**  1957  **Michele SAMMARTANO**  1957  **Carmelo SAVARINO**  1945  **Natale SCHIERA**  1951  **Salvatore SCHIERA**  1943  **Nicolò SCHILLACI**  1957  **Antonio SCIACCA**  1951  **Antonio SCORDIO ROMANO**  1955  **Ignazio SFRAGARA**  1949  **Giuseppe SPARACINO**  1951  **Giovan Battista TODARO**  1939  **Salvatore TODERO**  1942  **Sebastiano TRIPI**  1944  **Michele TUMBARELLO**  1945  **Antonino VARISCO**  1939  **Gerlando VELLA BIANCHETTINO**  1954  **Vincenzo VENTURA**  1953  **Rosario VITELLO**  1950  **Antonina ZANGARA**  1944  **Pietro ZERILLI**  1946  Household  **Marianna CRIMINISI**  1951  **Jesus Eliecer GIUDICE**  1982  Household  **Antonina CAVALLINO**  1975  **Roberto CAVALLINO**  1984  Household  **Concetta Rita Calogera CULORA**  1949  **Gerardo CAPPUCCIO**  1976  **Gianpaolo CAPPUCCIO**  1974 | Savoca Alessandro  Palerme | Perugia  Court of  Appeal,  R.G. 2080/2010,  19/02/2013 | 05/01/2023 | 18/02/2023 | 200 | 30 |
|  | 20430/22  01/04/2022 | **S.N.C. DI PACIFICO E REINO**  1991 | Pacifico Erminio Angiolino  San Bartolomeo in Galdo | Naples  Court of  Appeal  R.G. 854/2019,  16/04/2019 | 05/01/2023 | 01/02/2023 | 200 | 30 |
|  | 21137/22  13/04/2022 | **Franco VAIRO**  1954 | Azzarone Antonella  Manfredonia | Bari Court  of Appeal  R.G. 2028/2017,  22/12/2017 | 05/01/2023 | 27/01/2023 | 200 | 30 |
|  | 21732/22  27/04/2022 | **Ottavio PANNONE**  1955 | Pasquariello Gianpiero  Caserte | Naples  Court of  Appeal  R.G. 2056/2020,  09/12/2020 | 05/01/2023 | 26/01/2023 | 200 | 30 |
|  | 21748/22  27/04/2022 | **Pasquale IOVANELLA**  1950  **Caterina INGENITO**  1948 | Pasquariello Gianpiero  Caserte | Rome Court  of Appeal  R.G. 51423/15,  04/01/2016 | 05/01/2023 | 26/01/2023 | 200 | 30 |
|  | 21754/22  27/04/2022 | **Pasquale RAUCCI**  1978  **Rosanna GRAVANTE**  1981 | Pasquariello Gianpiero  Caserte | Napoli  Court of  Appeal  R.G. 1127/2020,  10/06/2020 | 05/01/2023 | 26/01/2023 | 200 | 30 |
|  | 28384/22  30/05/2022 | **Luigi MARTE**  1955 | Minuti Maddalena  Mattinata | Lecce Court  of Appeal  R.G. 2160/2015,  03/02/2016 | 05/01/2023 | 27/01/2023 | 200 | 30 |
|  | 28532/22  20/05/2022 | **Domenica Anna DE SIMONE**  1961 |  | Lecce Court  of Appeal,  R.G. 440/2017,  05/12/2017 | 05/01/2023 | 27/02/2023 | 200 | 30 |
|  | 28543/22  20/05/2022 | **Oronzina DELL’ANNA**  1962 | De Simone Domenica  Lecce | Lecce Court  of Appeal,  R.G. 145/2017,  05/04/2017 | 05/01/2023 | 27/02/2023 | 200 | 30 |
|  | 28650/22  30/05/2022 | **Matteo IMPAGNATIELLO**  1950 | Minuti Maddalena  Mattinata | Lecce Court  of Appeal  R.G. 1581/2015,  20/01/2016  Lecce Court  of Appeal  R.G. 2161/2015,  10/02/2016 | 05/01/2023 | 27/01/2023 | 200 | 30 |
|  | 28727/22  20/05/2022 | **Patrizia MALORGIO**  1963 | De Simone Domenica  Lecce | Lecce Court  of Appeal,  R.G. 588/2017,  08/01/2018 | 05/01/2023 | 27/02/2023 | 200 | 30 |

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)