FIRST SECTION

DECISION

Application no. 31207/08
Maria Angela DEL BIANCO against Italy
and 5 other applications

(see appended table)

The European Court of Human Rights (First Section), sitting on 25 August 2022 as a Committee composed of:

Krzysztof Wojtyczek*, President,*

Erik Wennerström*,*

Lorraine Schembri Orland*, 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:

1. FACTS AND PROCEDURE

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

The applicants’ complaints under Article 6 of the Convention concerning the non-enforcement or delayed enforcement of domestic decisions were communicated to the Italian Government (“the Government”). In some applications complaints based on the same set of facts were also communicated to the Government (see appended table below).

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 Government also undertook to ensure the enforcement of the domestic decisions under consideration in the cases concerned (see appended table) within the same three-month period, where the final judgments have remained unenforced.

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

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 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 15 September 2022.

 Viktoriya Maradudina Krzysztof Wojtyczek
 Acting Deputy Registrar President

APPENDIX

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

(non-enforcement or delayed enforcement of domestic decisions)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Application no.Date of introduction | Applicant’s nameYear of birth/registration | Representative’s name and location | Other complaints under well‑established case‑law | Relevant domestic decisions | 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) |
| 1.
 | 31207/0816/06/2008 | **Maria Angela DEL BIANCO**1941  | Gullotta FabioRome | Prot. 1 Art. 1 - lack of or delayed payment of a debt by State authorities | RomeCourt of Appealno. 2792/06, 12/06/2006 | 20/04/2022 | 05/01/2022 | 2,400 | 250 |
|  | 24190/0921/04/2009 | **Monica CIOPPA**1965**Maria Vittoria DI CURZIO**1941 | Leo PietroBenevento | Prot. 1 Art. 1 - lack of or delayed payment of a debt by State authorities  | RegionalAdministrative Courtno. 6380/05,10/03/2005 | 20/04/2022 | 16/06/2022 | 2,400 | 250 |
|  | 8195/1110/01/2011 | **Monica CIOPPA**1965**Maria Vittoria DI CURZIO**1941 | Leo PietroBenevento |  | NaplesCourt of Appealno. 962/10, 19/03/2010 | 20/04/2022 | 20/02/2022 | 4,000 | 250 |
|  | 34517/1222/05/2012 | **Vita SCIRÈ**1936**Grazia Maria GRIGNANO**1965**Maria Antonia GRIGNANO** 1964 | Piacentino MassimoTrapani | Prot. 1 Art. 1 - lack of or delayed payment of a debt by State authorities - Applicants deprived of their property without compensation | PalermoCourt of AppealR.G. no. 1928/04,14/10/2009 | 20/04/2022 | 20/01/2022 | 9,600 | 250 |
|  | 13858/1516/03/2015 | **AVENTINO FRUTTA A.R.L.**1964  | Buffolo AndreaRome | Art. 6 (1) – non‑enforcement or delayed enforcement of domestic decisions - Impossibility to obtain through enforcement proceedings the payment of debts incurred by the Municipality of Rome (De Luca v. Italy, no. 43870/04, 24 September 2013, §§ 65-74). | RomeCourt of AppealR.G. 6173/06,06/05/2014 | 20/04/2022 | 05/01/2022 | 9,600 | 250 |
|  | 58692/1630/09/2016 | **Maria Bruna SIMONCELLI**1946  | Lizza EgidioRome |  | RomeCourt of Appealno. 1422/15,03/03/2015 | 20/04/2022 | 20/12/2021 | 2,400 | 250 |

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)