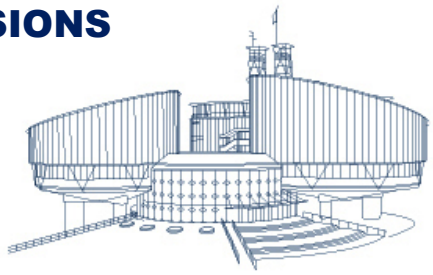
EUROPEAN COURT OF HUMAN RIGHTS

PRESS RELEASE

GRAND CHAMBER PANEL'S DECISIONS



ECHR 271 (2026) 02.11.2026

Press release issued by the Registrar of the Court

At its last meeting on 2 November 2026, the Grand Chamber panel of five judges decided to refer the case Banca Sistema S.p.A. v. Italy (application no. 37249/24) to the Grand Chamber and to reject the requests to refer 11 other cases[i].

A legal summary of this case will be available in the Court's database HUDOC (link)

Referral accepted

Banca Sistema S.p.A. v. Italy (application no. 37249/24)

The applicant, Banca Sistema S.p.A., is a company based in Milan. It specialises in providing factoring services to private companies, buying debt owed to those companies by public administration authorities and becoming the creditor in their place.

Banca Sistema S.p.A. acquired several debts held by private companies and service providers against the municipality of Cosenza. The national courts determined the total amount of the acquired debt and issued orders for payment. Those orders became enforceable on dates between 2018 and 2023, and enforcement of those orders has been pending for between more than two and more than seven years. Following partial payment of the sums awarded, the municipality of Cosenza declared itself insolvent. Banca Sistema S.p.A. lodged a request to be included in its list of creditors. The company cannot, however, initiate or pursue enforcement proceedings concerning its claims registered on that list while the insolvency procedure is pending.

Relying on Article 6 (right to a fair hearing/access to court) of the European Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant company complains that the decisions issued in its favour have not been enforced and that it cannot access a court in order to obtain enforcement of those decisions.

In its judgment of 16 July 2026, the Court held unanimously that there had been a violation of Article 6 § 1 and a violation of Article 1 of Protocol No. 1.

On 2 November 2026 the case was referred to the Grand Chamber at the Italian Government's request.

Requests for referral rejected

Judgments in the following 11 cases are now final [ii]

V.T. and Others v. Azerbaijan (application no. 20075/16), judgment of 18 June 2026

Christian Congregation of Jehovah's Witnesses v. Italy (no. 49687/16), judgment of 11 June 2026

Petrignani and Others v. Italy (no. 26187/14 and 2 others), judgment of 28 May 2026

Taleski and Others v. North Macedonia (applications nos. 34261/23 and 7877/24), judgment of 23 June 2026

de Carvalho Marques and Others v. Portugal (nos. 29978/19, 37235/19, 34185/19, 29703/19, and 3708/22), judgment of 7 July 2026

Seksimp Group SRL v. Republic of Moldova (no. 30085/13), judgment of 4 June 2026

Aničić v. Serbia (no. 36639/22), judgment of 9 June 2026

Brun v. Switzerland (no. 50885/16), judgment of 4 June 2026

Ivanyushchenko v. Switzerland (no. 54708/20), judgment of 2 July 2026

Mavrakis and Others v. Türkiye (no. 12549/23 and 2 others), judgment of 26 May 2026

Tuncer Çetinkaya v. Türkiye (no. 79795/17), judgment of 16 June 2026

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

[i] Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-judges Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise, Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer

[ii] Under Article 44 § 2 (c) of the European Convention on Human Rights, the judgment of a Chamber becomes final when the panel of the Grand Chamber rejects the request to refer under Article 43