In the case of Chiapetto v. Italy (1),

The Screening Panel of the European Court of Human Rights, constituted in accordance with Article 48 para. 2 (art. 48-2) of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") and Rule 26 of Rules of Court B (2),

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Notes by the Registrar

1. The case is numbered 11/1995/517/603. The first number is the case's position on the list of cases referred to the Court in the relevant year (second number). The last two numbers indicate the case's position on the list of cases referred to the Court since its creation and on the list of the corresponding originating applications to the Commission.

2. Rules of Court B, which came into force on 2 October 1994, apply to all cases concerning the States bound by Protocol No. 9 (P9).

Sitting in private at Strasbourg on 28 April, 29 June and 1 September 1995, and composed of the following judges:

Mr Thór Vilhjálmsson, Chairman,
Mr F. Gölcüklü,
Mr C. Russo,

and also of Mr H. Petzold, Registrar,

Having regard to the application against the Italian Republic lodged with the Court on 10 February 1995 by an Italian national, Mr Vincenzo Chiapetto, within the three-month period laid down by Article 32 para. 1 and Article 47 (art. 32-1, art. 47) of the Convention;

Whereas Italy has recognised the compulsory jurisdiction of the Court (Article 46 of the Convention) (art. 46) and ratified Protocol No. 9 (P9) to the Convention, Article 5 (P9-5) of which amends Article 48 (art. 48) of the Convention so as to enable a person, non-governmental organisation or group of individuals having lodged a complaint with the European Commission of Human Rights ("the Commission") to refer the case to the Court;

Noting that the present case has not been referred to the Court by either the Government of the respondent State or the Commission under Article 48 para. 1 (a) or (d) (art. 48-1-a, art. 48-1-d) of the Convention;

Having regard to the Commission's report of 18 October 1994 on the application (no. 21664/93) lodged with the Commission by Mr Chiapetto on 12 September 1992;

Whereas the applicant complained of the length of proceedings in the Italian administrative courts, to which he was a party, and alleged a breach of Article 6 para. 1 (art. 6-1) of the Convention, under which "In the determination of his civil rights and obligations ..., everyone is entitled to a ... hearing within a reasonable time by [a] ... tribunal ...";

Whereas the applicant, in specifying the object of his application, as required by Rule 34 para. 1 (a) of Rules of Court B, stated that he sought a decision by the Court on account of the features which distinguished his case from that of Scuderi v. Italy (judgment of 24 August 1993, Series A no. 265-A);

Having regard to Article 48 (art. 48) of the Convention and

Rule 34 paras. 1 (a), 3 and 4 of Rules of Court B,

1. Finds that

(a) the case raises no serious question affecting the interpretation or application of the Convention, as the Court has already established case-law on the "reasonable time" requirement in Article 6 para. 1 (art. 6-1) of the Convention, and as the features which distinguish this case from the Scuderi case do not warrant its consideration by the Court; and

(b) the case does not, for any other reason, warrant consideration by the Court as, in the event of a finding that there has been a breach of the Convention, the Committee of Ministers of the Council of Europe can award the applicant just satisfaction, having regard to any proposals made by the Commission;

2. Decides, therefore, unanimously, that the case will not be considered by the Court.

Done in English and in French, and notified in writing on 13 September 1995 pursuant to Rule 34 para. 4 of Rules of Court B.

Signed: THÓR VILHJÁLMSSON
Chairman

Signed: Herbert PETZOLD
Registrar