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

FIRST SECTION

DECISION

Application no. 11238/24
Marco CELATO
against Italy
(see appended table)

The European Court of Human Rights (First Section), sitting on 7 May 2025 as a Committee composed of:

Georgios A. Serghides*, President*,
Frédéric Krenc,
Alain Chablais*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 3 April 2024,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Ms P. Bevere, a lawyer practising in Rome.

The applicant's complaints under Article 5 § 1 and Article 6 § 1 of the Convention concerning the alleged unlawfulness of his prolonged stay, given that he is suffering from paranoid schizophrenia, in the specialised structure (Residence for Execution of Security Measures – "REMS") of Palombara Sabina (Rome), notwithstanding a judicial decision requesting his transfer to another specialised medical structure (care home – "Casa di Cura") and the non-enforcement of that decision, were communicated to the Italian Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against Italy in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay him 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 case.

THE LAW

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 application.

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

For these reasons, the Court, unanimously,

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

Done in English and notified in writing on 28 May 2025.

Viktoriya Maradudina Acting Deputy Registrar	Georgios A. Serghides President

APPENDIX

Application raising complaints under Article 5 § 1 and Article 6 § 1 of the Convention

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for non-pecuniary damage (in euros)[1]	Amount awarded for costs and expenses (in euros)[2]
11238/24 03/04/2024	**Marco CELATO** 1975	Bevere Paola Rome	10/02/2025	04/03/2025	16,000	1,000

[1] Plus any tax that may be chargeable to the applicant.

[2] Plus any tax that may be chargeable to the applicant.