

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

FIRST SECTION

DECISION

Application no. 909/21
Giulio PUCCINI against Italy
and 2 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 18 April 2024 as a Committee composed of:

Péter Paczolay*, 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 formal declarations accepting a friendly settlement of the cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants and the relevant details of the applications are set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention concerning the alleged excessive formalism of the decisions of the Court of Cassation to declare the applicants' appeals on points of law inadmissible were communicated to the Italian Government ("the Government").

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 payment will constitute the final resolution of the cases.

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 16 May 2024.

Viktoriya Maradudina
Acting Deputy Registrar

Péter Paczolay
President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention (right of access to a court)

No.	Application no. Date of introduction	Applicant's name Year of birth/ registration	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 per applicant (in euros)[1]	Amount awarded for costs and expenses per application (domestic proceedings) (in euros)[2]	Amount awarded for costs and expenses per application (Strasbourg proceedings) (in euros)[3]
1.	909/21 15/12/2020	**Giulio PUCCINI** 1969	Di Salvo Federico Florence	29/02/2024	09/01/2024	6,000	The Government undertake not to request the amount for additional expenses of proceedings *(ulteriore importo a titolo di contributo unificato*) imposed on the applicant by the order of the Court of Cassation no. 11598/2020. If the applicant has already paid this amount, the Government undertake to reimburse it.	1,000
2.	23706/22 29/04/2022	**Renato PULCINI** 1953		29/02/2024	08/02/2024	6,000	The Government undertake not to request the amount for additional expenses of proceedings *(ulteriore importo a titolo di contributo unificato*) imposed on the applicant by the order of the Court of Cassation no. 276/2022. If the applicant has already paid this amount, the Government undertake to reimburse it.	1,000
3.	27751/22 25/05/2022	**TECNO IMAC SRL** 1999	Garone Gianfranco Rome	29/02/2024	01/02/2024	6,000	The Government undertake to pay the amounts imposed on the applicant by the order of the Court of Cassation no. 2441/2022. In particular, they undertake to pay EUR 4,000 (four thousand euros) and to not request the payment of the amount for additional expenses of proceedings (*ulteriore importo a titolo di contributo unificato*). If the applicant has already paid the latter amount, the Government undertake to reimburse it.	1,000

[1] Plus any tax that may be chargeable to the applicants.
[2] Plus any tax that may be chargeable to the applicants.
[3] Plus any tax that may be chargeable to the applicants.