



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

## FIRST SECTION

### DECISION

Applications nos. 36175/21 and 36691/21  
MAZZEI SALVATORE S.R.L. against Italy  
and SALVAGUARDIA AMBIENTALE S.P.A. against Italy

The European Court of Human Rights (First Section), sitting on 10 November 2022 as a Committee composed of:

Krzysztof Wojtyczek, *President*,

Ivana Jelić,

Erik Wennerström, *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 is set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention and Article 1 of Protocol no. 1 concerning the non-enforcement or delayed enforcement of domestic decisions 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 Government

also undertake to ensure the enforcement of the domestic decisions under consideration in the cases concerned (see appended table) within the same three-month period, and to pay any costs of the domestic enforcement proceedings.

The payment and the enforcement of the domestic decisions in the cases concerned 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 1 December 2022.

Viktoriya Maradudina  
Acting Deputy Registrar

Krzysztof Wojtyczek  
President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol no. 1  
(non-enforcement or delayed enforcement of domestic decisions)

No.	Application no. Date of introduction	Applicant's name Year of registration	Representative's name and location	Relevant domestic decision	Domestic court order	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for non-pecuniary damage per applicant (in euros) <sup>1</sup>	Amount awarded for costs and expenses per application (in euros) <sup>2</sup>
1.	36175/21 06/07/2021	<b>MAZZEI SALVATORE S.R.L.</b> 1987	Verri Francesco Crotona	Crotona District Court R.G. 1459/2014, 11/02/2015	Società Acque Krotonesi S.p.A.  Payment of sums as reimbursement for services provided by the applicant company.	19/09/2022	16/09/2022	9,600	250
2.	36691/21 06/07/2021	<b>SALVAGUARDIA AMBIENTALE S.P.A.</b> 1996	Verri Francesco Crotona	Crotona District Court R.G. 1358/15, 04/11/2015	Società Acque Krotonesi S.p.A.  Payment of sums as reimbursement for services provided by the applicant company.	19/09/2022	16/09/2022	6,000	250

<sup>1</sup> Plus any tax that may be chargeable to the applicants.

<sup>2</sup> Plus any tax that may be chargeable to the applicants.