



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

FIRST SECTION

CASE OF PONTUALE AND OTHERS v. ITALY

(Applications nos. 31452/15 and 1372/17 – see appended list)

JUDGMENT

STRASBOURG

25 September 2025

This judgment is final but it may be subject to editorial revision.

In the case of Pontuale and Others v. Italy,

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

Frédéric Krenç, *President*,

Davor Derenčinović,

Alain Chablais, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 4 September 2025,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in applications against Italy lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Italian Government (“the Government”) were given notice of the applications.

THE FACTS

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

4. The applicants complained of the excessive length of civil proceedings. The applicant in application no. 31452/15 also raised a complaint under Article 13 of the Convention.

RELEVANT LEGAL FRAMEWORK

5. The relevant domestic law and practice can be found in *Verrascina and Others v. Italy* (nos. 15566/13 and 5 others, §§ 6-8, 28 April 2022).

THE LAW

I. JOINDER OF THE APPLICATIONS

6. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. THE GOVERNMENT’S REQUEST TO STRIKE OUT THE APPLICATIONS

7. The Government submitted unilateral declarations in respect of the applications, which did not offer a sufficient basis for finding that respect for

human rights as defined in the Convention does not require the Court to continue its examination of the cases (Article 37 § 1 *in fine*). The Court rejects the Government's request to strike the applications out and will accordingly pursue their examination (see *Tahsin Acar v. Turkey* (preliminary objections) [GC], no. 26307/95, § 75, ECHR 2003 VI).

III. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

8. The applicants complained principally that the length of the civil proceedings in question had been incompatible with the "reasonable time" requirement. They relied on Article 6 § 1 of the Convention.

9. The Court reiterates that the reasonableness of the length of proceedings must be assessed in the light of the circumstances of the case and with reference to the following criteria: the complexity of the case, the conduct of the applicants and the relevant authorities and what was at stake for the applicants in the dispute (see *Frydlender v. France* [GC], no. 30979/96, § 43, ECHR 2000-VII).

10. In the leading cases of *Cocchiarella v. Italy* ([GC], no. 64886/01, ECHR 2006-V) and *Verrascina and Others* (cited above, §§ 31-33), the Court already found a violation in respect of issues similar to those in the present case.

11. Having examined all the material submitted to it, the Court has not found any fact or argument capable of justifying the overall length of the proceedings at the national level. Having regard to its case-law on the subject, the Court considers that in the instant case the length of the proceedings was excessive and failed to meet the "reasonable time" requirement.

12. These complaints are therefore admissible and disclose a breach of Article 6 § 1 of the Convention.

IV. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

13. The applicant in application no. 31452/15 complained under Article 13 of the Convention concerning the lack of an effective remedy (see the appended table). This complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor is it inadmissible on any other ground. Accordingly, it must be declared admissible.

14. Having examined all the material before it, the Court concludes that it also discloses a violation of Article 13 of the Convention in the light of its findings in *Verrascina and Others* (cited above, §§ 23, 26, 30).

V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

15. Regard being had to the documents in its possession and to its case-law (see, in particular, *Cocchiarella*, cited above), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Rejects* the Government's request to strike the applications out of its list of cases under Article 37 § 1 of the Convention on the basis of the unilateral declarations which they submitted;
3. *Declares* the applications admissible;
4. *Holds* that these applications disclose a breach of Article 6 § 1 of the Convention concerning the excessive length of the civil proceedings;
5. *Holds* that there has been a violation of Article 13 of the Convention as regards the complaint raised by the applicant in application no. 31452/15 about the lack of an effective remedy to complain about the length of the civil proceedings (see appended table);
6. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 25 September 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Frédéric Krenc
President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention
(excessive length of civil proceedings)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
1.	31452/15 19/06/2015	Massimo PONTUALE 1950	Ioannilli Alfredo Rome	07/06/1982	26/10/2012	30 year(s) and 4 month(s) and 20 day(s) 2 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings.	20,800	250
2.	1372/17 13/12/2016	Fiorella BOI 1956 Luigia LOMBARDI 1956	Katte Klitsche de La Grange Teodoro Rome	31/03/2004	25/07/2013	9 year(s) and 3 month(s) and 26 day(s) 1 level(s) of jurisdiction		9,600	250

¹ Plus any tax that may be chargeable to the applicants.

² Plus any tax that may be chargeable to the applicants.