



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

FIRST SECTION

CASE OF LO BUE AND VECCHIONE v. ITALY

(Applications nos. 41762/18 and 22831/24)

JUDGMENT

STRASBOURG

26 February 2026

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

In the case of Lo Bue and Vecchione v. Italy,

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

Artūrs Kučs, *President*,

Raffaele Sabato,

Anna Adamska-Gallant, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 5 February 2026,

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 non-enforcement or delayed enforcement of Pinto domestic decisions.

THE LAW

I. JOINDER OF THE APPLICATIONS

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

II. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION AND OF ARTICLE 1 OF PROTOCOL No. 1

6. The applicants complained of the non-enforcement or delayed enforcement of domestic decisions given in their favour. They relied, expressly or in substance, on Article 6 § 1 of the Convention and on Article 1 of Protocol No. 1.

7. In relation to application no. 41762/18, the Government submitted that the Ministry of Economy and Finance had fully complied with the enforcement of the order in the applicant’s favour on 30 July 2019. This followed the applicant’s acceptance on 28 June 2019, by way of settlement,

of a reduced amount compared to the sum originally awarded in the operative part of the Caltanissetta Court of Appeal's decree. In the Government's view, such interlocutory phase - of an unspecified duration - aimed at the correction of the amount due to the applicant, caused a delay that was not attributable to the Ministry itself.

8. In relation to application no. 22831/24, the Government argued that the payment orders initially issued in favour of the applicants had been annulled due to the expiry of the statutory limitation period. Specifically, they submitted that the applicants served the decree of the Rome Court of Appeal on the Ministry of Economy and Finance on 14 March 2008, while the declarations under Article 5-sexies of Law No. 89 of 2001 were submitted for the first time on 6 December 2019 - beyond the ten-year period prescribed by law to prevent the claim from becoming time-barred.

9. With regard to the first objection, the Court considers that the Government's argument, concerning the enforcement of the decree and its delay due to the subsequent settlement with the applicant on the amount to be paid, must be rejected. That explanation does not justify the failure to enforce the decree for a period exceeding six years and nine months.

10. With regard to the second objection, the Court observes that the Government's argument that the applicants failed to request the decree's enforcement cannot absolve them of responsibility for the delay in the enforcement of the decrees, as the burden for ensuring execution lies with the State. To hold otherwise would render the applicant's right to a "trial" illusory (see *Hornsby v. Greece*, no. 18357/91, § 40, *Reports of Judgments and Decisions* 1997-II). Furthermore, the delay cannot be justified by reference to the applicants' alleged failure to submit the declaration and supporting documents required under Article 5-sexies of the Pinto Act, since that obligation was only introduced in 2016 and the applicants, in any event, complied with it in 2019. In any case, the delay in the enforcement of the relevant decree lasted at least from 14 March 2008, date of the serving of the decree to the Ministry, to 2016. The exception of the statute limitation raised by the Government therefore cannot justify the inertia that had persisted until then.

11. Thus, the Court dismisses the Government's objections and declares the applications admissible.

12. On the merits, the Court reiterates that the execution of a judgment given by any court must be regarded as an integral part of a "hearing" for the purposes of Article 6. It also refers to its case-law concerning the non-enforcement or delayed enforcement of final domestic judgments (see *Hornsby*, cited above).

13. In the leading case of *Gaglione and Others v. Italy*, nos. 45867/07 and 69 others, 21 December 2010, the Court already found a violation in respect of issues similar to those in the present case.

14. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the authorities did not deploy all necessary efforts to enforce fully and in due time the decisions in the applicants' favour.

15. These complaints therefore disclose a breach of Article 6 § 1 of the Convention and of Article 1 of Protocol No. 1.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

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

17. The Court further notes that the respondent State has an outstanding obligation to enforce the Pinto decision in application no. 22831/24.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the applications admissible;
3. *Holds* that these applications disclose a breach of Article 6 § 1 of the Convention and Article 1 of Protocol No.1 concerning the non-enforcement or delayed enforcement of Pinto domestic decisions;
4. *Holds* that the respondent State shall ensure, by appropriate means, within three months, the enforcement of the Pinto decision in application no. 22831/24;
5. *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.

LO BUE AND VECCHIONE v. ITALY JUDGMENT

Done in English, and notified in writing on 26 February 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Artūrs Kučs
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 Pinto domestic decisions)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Relevant domestic decision	Start date of non-enforcement period	End date of non-enforcement period Length of enforcement proceedings	Amount awarded for non-pecuniary damage per applicant /household (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
1.	41762/18 24/08/2018	Gaspare LO BUE 1948	Catania Emanuele Misilmeri	Appeal Court of Caltanissetta - R.G. 2452/10, 03/11/2012	03/11/2012	30/07/2019 6 year(s) and 9 month(s) and 30 day(s)	200	30
2.	22831/24 30/07/2024	<u>Household</u> Roberto VECCHIONE 1958 Livia VECCHIONE 1962	Filoia Renzo Florence	Rome Court of Appeal, single joint decree R.G. 52125/2006;52131/20 06;52136/2006, 25/10/2007	25/10/2007	pending More than 17 year(s) and 1 month(s) and 3 day(s)	200	30

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

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