



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

FIRST SECTION

CASE OF VOTTA RONZA v. ITALY

(Application no. 38083/10)

JUDGMENT

STRASBOURG

14 November 2024

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

In the case of Votta Ronza v. Italy,

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

Krzysztof Wojtyczek, *President*,

Lətif Hüseynov,

Erik Wennerström, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 17 October 2024,

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

PROCEDURE

1. The case originated in an application against Italy lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 7 July 2010.

2. The applicant was represented by Mr G. Romano, a lawyer practising in Rome.

3. The Italian Government (“the Government”) were given notice of the application.

THE FACTS

4. The applicant’s details and information relevant to the application are set out in the appended table.

5. The applicant complained of the non-enforcement of a domestic decision. She also raised other complaints under the provisions of the Convention.

THE LAW

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

6. The applicant complained principally of the non-enforcement of the domestic decision given in her favour. She relied on Article 6 § 1 of the Convention.

7. 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 v. Greece*, no. 18357/91, § 40, *Reports of Judgments and Decisions* 1997-II).

8. In the leading cases of *Ventorino v. Italy*, no. 357/07, 17 May 2011, *De Trana v. Italy*, no. 64215/01, 16 October 2007, *Nicola Silvestri v. Italy*, no. 16861/02, 9 June 2009, *Antonetto v. Italy*, no. 15918/89, 20 July 2000 and

De Luca v. Italy, no. 43870/04, 24 September 2013, the Court already found a violation in respect of issues similar to those in the present case.

9. 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 this complaint. 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 decision in the applicant's favour.

10. This complaint is therefore admissible and discloses a breach of Article 6 § 1 of the Convention.

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

11. The applicant also complained under Article 1 of Protocol No. 1 about the non-enforcement of the same final domestic judgment, which also raised issues under the Convention, given the relevant well-established case-law of the Court (see 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. Having examined all the material before it, the Court concludes that it also discloses a violation of the Convention in the light of its findings in the above cited case of *Ventorino*.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

12. The applicant considers the enforcement of the domestic decision referred to in the appended table as adequate just satisfaction. Accordingly, the Court considers that there is no call to award any sum on that account.

13. Therefore, the Court notes that the respondent State has an outstanding obligation to enforce the decision which remains enforceable.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that this application discloses a breach of Article 6 § 1 of the Convention concerning the non-enforcement of the domestic decision;
3. *Holds* that there has been a violation of Article 1 Protocol No. 1 as regards the other complaint raised under the well-established case-law of the Court (see appended table);

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4. *Holds* that the respondent State shall ensure, by appropriate means, within three months, the enforcement of the pending domestic decision referred to in the appended table.

Done in English, and notified in writing on 14 November 2024, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Krzysztof Wojtyczek
President

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APPENDIX

Application raising complaints under Article 6 § 1 of the Convention
(non-enforcement or delayed enforcement of domestic decisions)

Application no. Date of introduction	Applicant's name Year of birth	Relevant domestic decision	Start date of non-enforcement period	End date of non-enforcement period Length of enforcement proceedings	Domestic court order	Case-law	Other complaints under well-established case-law
38083/10 07/07/2010	Anna VOTTA RONZA 1957	Campania Regional Administrative Court, R.G. 5620/2012, 28/12/2013	28/12/2013	Pending More than 10 years and 7 months and 16 days	<i>Consorzio AS.CO.S.A. - Associazione Costruttori S. Antimo</i> Payment of compensation for the unlawful occupation of the applicant's land in view of its expropriation.	<i>Arnaboldi v. Italy</i> , no. 43422/07, 14 March 2019	Prot. 1 Art. 1 - lack of or delayed payment of a debt by State authorities