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Date: 25/11/2026

DH-DD(2026)1606

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Meeting: 1577th meeting (December 2026) (DH)

Communication from the applicant (18/11/2026) in the case of Gualtieri and Others v. Italy (Application No. 51336/09) (in respect of the applicant Gabriele Ellero Frontoni (Application No. 47012/21)) (Croce and others group)

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Document distribué sous la seule responsabilité de son auteur, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1577e réunion (décembre 2026) (DH)

Communication du requérant (18/11/2026) relative à l'affaire Gualtieri et autres c. Italie (Requête n° 51336/09) (concernant le requérant Gabriele Ellero Frontoni (Requête n° 47012/21)) (Groupe Croce and others) ***[anglais uniquement]***

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DH-DD(2026)1606: Rule 9.1 Communication from the applicant in Gualtieri and Others v. Italy
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DGI
18 NOV. 2026
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Macerata, 18.11.2026

Department for the execution of the European Court of Human Rights judgments
Directorate General of Human Rights and Rule of Law - DGI
Council of Europe - Conseil de l'Europe
F - 67075 Strasbourg Cedex
==========

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Our. Ref. : 680/2021

Subject – ***Supplementary communication under Rule 9.1 – Frontoni v. Italy, Application No. 47012/21 – Croce and Others group, No. 17607/08 – Formal notice to the Italian State dated 6 October 2026 and received on 6 October 2026***

The undersigned, Mr **Gabriele Ellero Frontoni**, the applicant, and *Avv. Claudio Fraticelli*, his counsel, jointly set out the following facts and respectfully submit this further update concerning the continuing non-execution of the judgment delivered by the European Court of Human Rights on 16 November 2023 in *Gualtieri et autres v. Italy*, insofar as it concerns Application No. 47012/21.
This communication supplements the information previously submitted in the supervision proceedings, particularly the applicant's communication registered as DH-DD(2024)627.

1. Further formal action addressed to the Italian State

By formal notice dated 6 October 2026, received by the addressee authorities through certified electronic mail (PEC) on 6 October 2026, the applicant formally demanded compliance from the Presidency of the Council of Ministers, the Ministry of Economy and Finance and the Agent of the Italian Government before the European Court of Human Rights, with a copy sent to the Municipality of Civitanova Marche.

The notice, personally signed by the applicant and his counsel, requests full execution of the judgment of the Court of Appeal of Ancona published on 26 March 2015, as identified in the European Court's judgment.

Dispatch and receipt are documented by one acceptance receipt and seven delivery receipts, collected in the PDF bundle listed as enclosure 2, which also contains the eight original MSG files as embedded attachments. The message, sent from avvclaudiofraticelli@cnfpec.it , was accepted by the certified electronic mail system on 6 October 2026 at 09:23:29. All deliveries took place on the same date, to the following addresses and at the following times (time zone +0200):
Presidency of the Council of Ministers: protocollo.dagl@mailbox.governo.it and ufficiocontenzioso@mailbox.governo.it , both at 09:23:36.

DH-DD(2026)1606: Rule 9.1 Communication from the applicant in Gualtieri and Others v. Italy
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Avvocatura Generale dello Stato, as the address specified in the formal notice for the Agent of the Italian Government: ags.rm@mailcert.avvocaturastato.it and roma@mailcert.avvocaturastato.it , both at 09:23:43.
Ministry of Economy and Finance: dcst.dag@pec.mef.gov.it and mef@pec.mef.gov.it , both at 09:25:32.
Municipality of Civitanova Marche, copied for information: comune.civitanovamarche@pec.it , at 09:23:32.
All eight receipts bear the same message identifier: jpec13219.20261006092329.26495.2004.1.1@pec.aruba.it.

2. Continuing non-execution and updated financial consequences

The formal notice documents the continuing failure to execute the domestic judgment and provides an updated statement of the amounts claimed as at 2 October 2026.

These include the outstanding principal compensation, accrued interest, litigation costs and an additional claim for pecuniary damage resulting from the loss of value of the outstanding debt during the prolonged period of non-execution.

This additional claim is presented separately from the amounts already established by the domestic judicial decision.

3. Request for identification of an effective enforcement mechanism

The applicant expressly requested the authorities to indicate, within thirty days of receipt, the administration or entity responsible for compliance, the administrative or accounting instrument through which payment would be authorised, and a definite timetable for completing execution.

As all delivery receipts confirm delivery on 6 October 2026, the thirty-day period specified in the formal notice expired on 5 November 2026 without any response having been received as at 16 November 2026.

The continuing non-execution of the domestic judgment, together with the need to renew the formal request to the central authorities of the State, demonstrates that no effective administrative mechanism has yet been identified and communicated to the applicant for securing compliance.

4. Relevance to supervision under Article 46 of the Convention

The applicant does not seek a determination by the Committee of Ministers of the precise amount owed or of the identity of the debtor under domestic law.

Rather, the purpose of this communication is to demonstrate that the applicant has again formally called upon the central authorities of the Italian State to secure execution of the domestic judgment and to identify the necessary administrative and financial measures.

The continuing non-execution therefore raises an issue directly relevant to the effectiveness of the individual measures required under Article 46 of the Convention.

5. Requests to the Committee of Ministers

The applicant and his counsel respectfully request the Committee of Ministers

1. to place this communication, the formal notice of 6 October 2026 and the PEC receipt bundle on the file of the supervision proceedings

DH-DD(2026)1606: Rule 9.1 Communication from the applicant in Gualtieri and Others v. Italy
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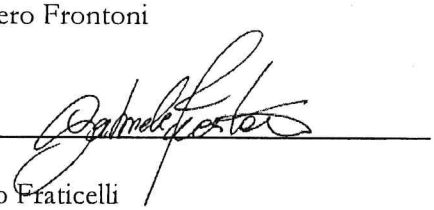
2. to take note that the formal notice was received by the addressee authorities on 6 October 2026 and that the thirty-day period expired on 5 November 2026 without any reply having been received as at 16 November 2026
3. to invite the Italian authorities to provide specific information on the concrete individual measures envisaged to secure execution of the judgment of the Court of Appeal of Ancona
4. to request, where appropriate, identification of the competent authority, the administrative or financial mechanism to be used and the timetable for execution
5. to take the applicant's continuing situation into account at the next examination of the Pennino and Croce and Others groups.

The undersigned further request that this communication be brought to the attention of the competent Italian authorities.

Enclosures

1. Formal notice and demand for compliance addressed to the Italian State on 6 October 2026, signed by the applicant and his counsel.
2. PDF bundle "Frontoni_Ricevute_PEC_6_ottobre_2026.pdf", comprising 9 pages with a summary, one acceptance receipt and seven delivery receipts dated 6 October 2026, with the eight original MSG files embedded as attachments.

Gabriele Ellero Frontoni
Applicant

Signature 

Avv. Claudio Fraticelli
Counsel for Mr Gabriele Ellero Frontoni

Signature 