

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



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Date: 15/12/2016

DH-DD(2016)1402

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1280 meeting (7-9 March 2017) (DH)

Communication from the applicant's representative (02/12/2016) in the case of Medici (Belvedere Alberghiera S.r.l. group) against Italy (Application No. 70508/01)

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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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1280 réunion (7-9 mars 2017) (DH)

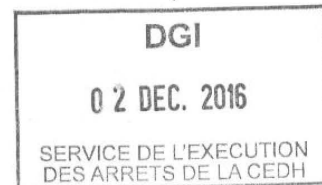
Communication du représentant du requérant (02/12/2016) dans l'affaire Medici (groupe Belvedere Alberghiera S.r.l.) contre Italie (Requête n° 70508/01) **[anglais uniquement]**

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(2016)1402: Rule 9.1 applicant's representative in Medici v. Italy.
Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers. / Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

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Rome, 2nd December 2016

Illustrious Committee of Ministers
Council of Europe
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FRANCE

Medici / Italy

(European Court of Human Rights – judgment of 4 December 2012 – final on 4 March 2013 – rectified on 13 November 2014 – application no.70508/01)

Illustrious Committee,

I am writing on behalf of Mrs. Patrizia Medici, co-heir of the original applicant Mr. Giulio Medici and assignee of the rights arising from the above-mentioned judgment (see previous letters of 20 May 2014 and 1 December 2015).

I would like to draw the attention of this Illustrious Committee on the action report of the Italian Government dated 7 October 2016, in which they ask this Illustrious Committee to close the supervision of the execution of 119 cases decided by the

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European Court of Human Rights on the subject of indirect expropriation (Group Belvedere Alberghiera s.r.l. v. Italy no.31524/96).

In this group of cases there is also the above-mentioned judgment, where the European Court has condemned the Italian State to pay to the applicants as just satisfaction € 12.790.000,00 plus interests from 4 June 2013, at a rate equal to the marginal lending rate of the European Central Bank plus three percentage points.

The above-mentioned judgment has been rectified on 13 November 2014, with the subtraction of the amount awarded at domestic level.

Anyway, even if Mrs. Patrizia Medici has notified an agreement confirmed by a notary where she is the only beneficiary of the amounts awarded by the European Court with the above-mentioned judgment, to this day the Italian State has not paid anything.

Therefore the Italian State is still in debt with Mrs. Medici of the amount of € 12.790.000,00 less the amount awarded at domestic level, plus interests from 4 June 2013 until the final payment at the conditions affirmed in the above-mentioned judgment. No intention of settle this debt has been showed.

In view of the foregoing, I ask this Illustrious Committee to continue the supervision of the execution of the case Medici v. Italy and to adopt all the relevant measures about this case, even the formal notice on the Italian State under the article 46 of the Convention.

Respectfully.

Nicolò Paoletti, Esq.

