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Table of contents

I. MAIN ACHIEVEMENTS 4

Risk of ill-treatment upon expulsion 5

Conditions of detention / remedies 5

Migration issues – lawfulness of detention and reception conditions 5

Right to liberty and security 5

Functioning of justice 5

Protection of private and family life 7

Freedom of expression 8

Protection against discrimination 8

Protection of property rights 9

Electoral rights 9

II. MAIN ISSUES PENDING BEFORE THE COMMITTEE OF MINISTERS 11

Actions of security forces 12

Protection against ill-treatment - specific situations 12

Domestic violence 12

Detention issues 12

Migration issues – lawfulness of detention and reception conditions 13

Excessive length of civil proceedings 13

Non-execution of domestic judicial decisions 14

Protection of private and family life 14

Protection of the environment 14

Freedom of expression - defamation 14

Freedom of movement 15



I. Main achievements

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on the verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Risk of ill-treatment upon expulsion

By a legislative Decree of 2015, the protection of the European Convention was extended to asylum seekers taken on board naval or coast guard ships during operations on the high seas.

Hirsi Jamaa and Others (27765/09)
Final Resolution CM/ResDH(2016)221

Conditions of detention / remedies

Preventive and compensatory remedies, including a reduction of sentence in cases of placement in substandard prison conditions, were provided for following 2013-2014 legislative amendments. Moreover, an Ombudsman for persons deprived of their liberty, was established and a computerised system was created to monitor the prison space and inmates and guide the reallocation of prisoners detained in overpopulated facilities. In the course of a further reform, the competence for penitentiary health care was transferred from the Ministry of Justice to the National Health Service, the latter ensuring that detainees benefit from health care services equivalent to those offered to other citizens.

Torreggiani and Others (43517/09+)
Final Resolution CM/ResDH(2016)28

***Cirillo* group** (36276/10)
Final Resolution CM/ResDH(2019)327

Migration issues – lawfulness of detention and reception conditions

The current legal framework requires the authorities to provide information to the persons concerned about their rights and the grounds for their detention; it also provides for an automatic judicial review of the lawfulness of any decision to detain. Examples of judicial decisions were submitted indicating that the combination of preventive and compensatory civil law remedies under the Code of Civil Procedure and the Civil Code may allow migrants in administrative detention to file complaints related to their living conditions and obtain adequate redress in case these conditions amount to ill-treatment. The National Guarantor for the rights of persons deprived of personal liberty has access to the centres to monitor compliance with regulations.

Khlaifia and Others (16483/12)
Final Resolution CM/ResDH(2021)424

Right to liberty and security

In 1995, the Code of Criminal Procedure was amended to strengthen existing guarantees, providing that a judicial decision ordering pre-trial detention may be annulled *ex officio* if its necessity has not been explicitly justified in the light of specific criteria.

Vaccaro (41852/98)
Final Resolution CM/ResDH(2005)90

Correspondence between prisoners and lawyers and organs of the European Convention were excluded from monitoring in the new legislation of 2004, which sets limits to the monitoring and restrictions of prisoners' correspondence.

Calogero Diana (15211/89+)
Final Resolution CM/ResDH(2005)55

Labita (26772/95)
Final Resolution CM/ResDH(2009)83

Functioning of justice

- Fairness of proceedings

The possibility, in criminal proceedings, of one and the same judge conducting the investigative phase and the trial phase was repealed in 1989 in a new Code of Criminal Procedure. The abrogation concerns, in particular, the district judge's power to carry out police or investigative measures.

Lanzano (14725/89)
Final Resolution CM/ResDH(96)315

Biondo (8821/79)

Furthermore, the presence of a defence lawyer became henceforth obligatory in hearings before the Court of Cassation. The appointment of a lawyer by the Court of Cassation shall be notified without delay to the appellant as well as the date set for the hearing thirty days in advance.

Final Resolution DH(89)30

Changes to the Constitution, in 1999, gave constitutional rank to a number of requirements of fair trials. A 2001 reform introduced improved safeguards as regards the use of testimony during investigations by a person who decides to remain silent during trial, thus preventing convictions exclusively on evidence the defendant had never been able to refute. The guarantees in case of *in absentia* proceedings were improved to allow appeals against judgments rendered *in absentia* at first instance even if the normal deadlines have expired.

Craxi n° 2 (34896/97)
Final Resolution CM/ResDH(2005)28

F.C.B. (12151/86+)
Final Resolution CM/ResDH(2011)122

Amendments to the Criminal Procedure Code in 2017 provided that in case of a prosecution's appeal against an acquittal for reasons relating to the evaluation of oral testimony, the judge must conduct a direct and fresh assessment of the evidence.

Lorefice (63446/13)
Final Resolution CM/ResDH(2021)119

- Reopening of criminal proceedings

In 2014, the Code of Criminal Procedure was amended so that, in the event of a conviction in absentia, the time limit for appealing the judgment is reopened, at the accused's request, unless the accused has had effective knowledge of the proceedings or judgment and voluntarily waived the right to appear in the proceedings or to challenge the judgment. In this regard, the burden of proof lies with the judicial authorities.

Huzuneanu (36043/08)
Final Resolution CM/ResDH(2021)75

- Execution of final judicial decisions

In the framework of legislative reforms in 2012, 2013 and 2014, guarantees were adopted for the due enforcement of domestic judicial decisions, in particular, ordering the payment of debts by public administration. These guarantees included the setting up of a central state fund to ensure payment.

Ventorino (357/07)
Final Resolution CM/ResDH(2016)316

- Remedies against excessive length of judicial proceedings

An effective compensatory remedy (Pinto Law) available to victims of excessively long judicial proceedings was introduced in 2001. Since 2016, the effectiveness of the remedy was improved as necessary budgetary funds were ensured and proceedings were speeded up.

Mostacciuolo (64705/01+)
Final Resolution CM/ResDH(2017)289

Domestic courts adapted their case-law and secured a Convention-compliant interpretation of the 2012 reform of the "Pinto" remedy, thereby ensuring its effectiveness including for the length of administrative proceedings.

Olivieri and Others (17708/12)
Final Resolution CM/ResDH(2022)351

- Excessive length of administrative and criminal proceedings

Wide range of measures adopted by the Italian authorities since 2010 (for administrative proceedings) and 2017 (for criminal proceedings) generated positive trends notably with regard to the elimination of the backlog of cases and the reduction of the average length of proceedings, which is now within acceptable parameters. This placed the criminal and administrative justice systems on a sustainable and efficient path which can be expected to continue yielding further improvements in the years to come.

***Abenavoli* group** (25587/94+)
Final Resolution CM/ResDH(2024)203

Ledonne No.1 (35742/97)
Final Resolution CM/ResDH(2025)256

- Enforcement of eviction decisions rendered by courts

Successive reforms of the legal framework governing the eviction of tenants after the expiry of their leases and the improved implementation of judicial enforcement decisions made less necessary recourse to legislation suspending evictions. In 2004, this legislative practice was declared unconstitutional by the Constitutional Court. In addition, several effective remedies for securing compensation in case of enforcement delays were introduced, particularly through automatic compensation in the event of legislative suspension, for failure of the police to provide assistance as well as for delays in judicial and enforcement proceedings (Pinto Law). The availability of these remedies led to a significant reduction of complaints by landlords, as shown by national statistical data.

Immobiliare Saffi (22774/93+)
Final Resolution CM/ResDH(2007)84

Protection of private and family life

- Public care of children, adoption

Supervision of childcare measures was strengthened through amendments in 2003 of the law on State guardianship. This included modalities governing how the responsibility is to be exercised and how the parents and other members of the nuclear family are to maintain their links with the child; measures stipulate that the duration of the placement in public care must be indicated in the placement orders, that any significant event must be reported to the judge, and that the child's relations with and return to its family of origin must be facilitated. Moreover, safeguards in adoption proceedings were improved, notably as regards better information and greater involvement of parents from the onset of the procedure, including the right of children to be heard by the judge, following a series of legislative reforms in 2001, 2007, 2012 and 2013. An Ombudsman for childhood and adolescence was established in 2011.

Scozzari and Giunta (39221/98+)
Final Resolution CM/ResDH(2008)53

Todorova (33932/06)
Final Resolution CM/ResDH(2010)172

Roda and Bonfatti (10427/02+)
Final Resolution CM/ResDH(2016)27

Piazzi group (36138/09)
Final Resolution CM/ResDH(2019)121

- Access to medically-assisted procreation

Access to medically-assisted procreation was ensured for persons with genetic diseases following a decision by the Constitutional Court in 2015.

Costa and Pavan (54270/10)
Final Resolution CM/ResDH(2016)276

- Access to information on one's biological mother

In 2013, by a Constitutional Court's judgment, a child abandoned at birth was granted the possibility to gain access to information on his/her birth mother. In 2015, a law enshrining this right was elaborated.

Godelli (33783/09)
Final Resolution CM/ResDH(2015)176

- Gender reassignment

Legislative measures adopted in 2011, and the evolution in the relevant case-law of the Court of Cassation and the Constitutional Court, ensured that domestic courts can order a change in the forename when they authorise a gender reassignment surgery or, for individuals choosing not to undergo such surgery, once they have ascertained that the gender transition process is serious, unambiguous and definitive.

S.V. (55216/08)
Final Resolution CM/ResDH(2020)131

- Waste management in the Campania region

The measures adopted and the progress achieved since the events in this case (2007-2008) make it unlikely for an emergency scenario comparable to the one assessed by the Court to occur again. The additional progress still required to fully address several aspects of the disposal phase of the waste management cycle, can be achieved through the full implementation of the strategies outlined by the Italian authorities.

Di Sarno (30765/08)
Final Resolution CM/ResDH(2025)33

- Effective judicial control of house searches

In 2022, the Code of Criminal Procedure was amended, introducing a remedy against unlawful search decrees or validation measures. It also provided that the judicial police must send the search report to the public prosecutor within 48 hours, and the prosecutor must decide within the same timeframe, by a reasoned decree, whether to validate the search.

Brazzi **(**57278/11**)**
Final Resolution CM/ResDH(2023)182

Freedom of expression

- Defamation

Following developments in the case-law of the Constitutional Court between 2003 and 2015, parliamentary immunity in defamation matters has been excluded with regard to statements not linked to the exercise of a parliamentary function.

Patrono, Cascini and Stefanelli (10180/04+)
Final Resolution CM/ResDH(2016)119

- Television broadcasting

Respect for the requirement of information pluralism and the right to competition was improved in 2014, when the role and competences of the authority on the regulation of broadcasting (AGCOM), an independent administrative body, for the granting of a license as well as the control of transfers of ownership of radio and television companies and operations of media concentration were clarified.

Centro Europa 7 S.R.L and Di Stefano (38433/09)
Final Resolution CM/ResDH(2017)104

Protection against discrimination

- on the ground of nationality

In 2013, the law was amended and now family allowance is paid to EU nationals as well as to other long-term resident foreigners.

Dhahbi (17120/09)
Final Resolution CM/ResDH(2015)203

- on the ground of sexual orientation

A Law permitting the civil union of committed and stable same-sex relationships was adopted in 2016, allowing for same-sex partnerships' legal recognition and for a foreign partner to obtain a residence permit for family reunification purposes.

Oliari and Others (18766/11+)
Final Resolution CM/ResDH(2017)182

Taddeucci and McCall (51362/09)
Final Resolution CM/ResDH(2018)125

- on the ground of gender

In 2022, the Constitutional Court declared unconstitutional the provisions which provided for the automatic attribution, at birth or upon adoption, of the father's surname and established that children shall henceforth take the surnames of both parents, in the order they decide, unless the parents agree to give only the surname of one of them.

Cusan and Fazzo (77/07)
Final Resolution CM/ResDH(2022)320

Protection of property rights

- Compensation for expropriation

The Court of Cassation changed its case-law to grant compensation for the consequences of failures by the forces of order to enforce judicial eviction orders. Once the principle was accepted in 1988, the Court of Cassation progressively refined and applied it, defining the obligations of the administration with regard to compensation.

C.A.R. S.r.l. (23924/94)
Final resolution CM/ResDH(2010)213

Safeguards for landowners against emergency expropriations (the procedure can be initiated only as a means of last resort when there are exceptional public interest reasons for it) were improved.

Belvedere Alberghiera S.R.L. (31524/96+)
Final resolution CM/ResDH(2017)138

- Adjustment of allowances to inflation rate

As concerns the impossibility for persons accidentally contaminated following blood transfusions or by the administration of blood derivatives to obtain an annual adjustment based on the inflation rate of the supplementary component (the "IIS") of the compensation allowance they benefit from, the authorities – as from 2012 - guaranteed that the IIS is henceforth submitted to an annual adjustment. Furthermore, the authorities at central and regional level paid on the basis of budgetary allocations, to the persons accidentally contaminated (or their heirs), the arrears corresponding to the adjustment of the IIS from the date the compensation allowance was granted. In particular, the arrears to be paid by the central and regional authorities were cleared before the end of 2014 and 2018 respectively.

M.C. and Others (5376/11)
Final Resolution CM/ResDH(2021)30

Electoral rights

- Bankruptcy and restrictions of electoral rights and of legal capacity

The rules unjustifiably imposing a blanket suspension of electoral rights for five years counting from the declaration of bankruptcy and limitations on the legal capacity of

Albanese (77924/01)
Final Resolution CM/ResDH(2008)45

the person in bankruptcy (notably prohibition to exercise a number of professional activities) were abolished in 2006.

Abbatiello, Federici, Maugeri, Scassera
(39638/04+)
Final Resolution CM/ResDH(2008)75



II. Main issues pending before the Committee of Ministers

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Actions of security forces

Inhuman and degrading treatment by police forces against demonstrators during G8 summit; inadequate criminal legislation to prevent and punish torture and ill-treatment.

Significant progress: introduction of the crime of torture in the Italian legal system

Cestaro (6884/11)
Judgment final on 07/07/2015

Enhanced supervision
Status of execution

Protection against ill-treatment - specific situations

"Extraordinary rendition" operation: abduction of an Egyptian national suspected of terrorist acts with a refugee status in Italy; his handing over to CIA agents and subsequent transfer to Egypt where he was secretly detained and subjected to violent interrogation.
Impunity of five Italian SISMi agents following the Italian Government's decision, upheld by the Constitutional Court, to apply the State secrecy leading to subsequent quashing of their convictions.
Impunity of 26 convicted United States' agents because of absence or non-conclusive extradition requests by the Italian authorities and the Presidential pardon granted to three of them.

Nasr and Ghali
(44883/09)
Judgment final on 23/05/2016

Enhanced supervision
Status of execution

Reducibility of a **whole-life prison sentence** imposed for leadership of a Mafia organisation depending on cooperation with the judicial authorities.

Significant progress: Amendment of Article 4 bis of the Prison Administration Act, introducing the possibility for whole life prisoners who failed to cooperate with the justice system to be eligible for release on parole under stringent and concomitant conditions.

Marcello Viola (No. 2)
(77633/16)
Judgment final on 13/06/2019

Enhanced supervision
Status of execution

Domestic violence

Inertia of the authorities in handling the applicants' complaints of domestic violence due to the absence of a comprehensive risk assessment by prosecutors, the non-adoption of protective measures, the delays in carrying out investigative acts, the lack of investigation into reported episodes of violence, the excessive length of the investigations and the criminal proceedings against the aggressors.

Significant progress: adoption of wide range of legislative measures to strengthen the domestic system's response to domestic violence.

***Talpis* group** (41237/14)
Judgment final on 18/09/2017

Enhanced supervision
Status of execution

Secondary victimisation of the applicant on account of the language and arguments used in the judgment, which acquitted those accused to have raped her, that were guilt-inducing, moralising and conveyed sexist stereotypes.

J.L. (5671/16)
Judgment final on 27/08/2021

Enhanced supervision
Status of execution

Detention of mentally-ill, medical care issues

Detention of applicants **with a psychiatric condition in an ordinary prison, despite domestic court decisions ordering his transfer to a psychiatric facility**.

Sy (11791/20)
Judgment final on 24/04/2022

Enhanced supervision
Status of execution

Failure to protect the right to life of the applicants in prison and to **carry out a comprehensive medical evaluation** assessing the compatibility of the psychiatric condition of one applicant with continued detention.

Citraro and Molino
(50988/13)
Judgment final on 04/06/2020

Enhanced supervision
Status of execution

Continued detention of the applicant in a judicial psychiatric hospital and in a residence for the execution of safety measures ("REMS") beyond the duration provided by domestic law adopted after the implementation of the measure and **impossibility of seeking redress for the unlawful detention**.	***Cramesteter*** (19358/17) Judgment final on 06/09/2024 Enhanced supervision **Status of execution**
Inadequate medical care during detention.	***Riela*** (17378/20) Judgment final on 09/11/2023 Standard supervision **Status of execution**
Prolonged use of mechanical restraints on a psychiatric patient during his hospitalization and ineffective investigation on his allegations of ill-treatment.	***Lavorgna*** (8436/21) Judgment final on 07/02/2025 Enhanced supervision **Status of execution**

Migration issues – lawfulness of detention and reception conditions

Unlawful detention of migrants in the Lampedusa 'hotspot' under poor conditions and subsequent collective expulsion.	***J.A. and Others*** (21329/18) Judgment final on 30/06/2023 Enhanced supervision **Status of execution**
Placement of unaccompanied minor in adult reception centre in inadequate conditions and without being provided with minimum procedural guarantees in age-assessment procedure. *Significant progress*: Legal safeguards for age assessment have been reinforced through legislation enacted in 2017 and additional measures adopted in 2024. Convention-compliant practices are in place, especially in regions under significant migratory pressure. The combination of existing preventive and compensatory remedies (Article 700 and Article 2043 of the Civil Code) allows challenging living conditions in reception centres and seek redress. In the light of the substantial progress achieved, the case was transferred from the enhanced to the standard supervision procedure.	***Darboe and Camara*** (5797/17) Judgment final on 21/10/2022 Standard supervision **Status of execution**

Excessive length of civil proceedings

Significant progress: Between 2021 and 2024, clearance rates improved across all civil courts, backlogs were reduced, and positive trends in shortening first-instance and appeal proceedings were consolidated. The previous decline in the Court of Cassation's performance was also reversed, although continued monitoring is needed to further reduce case durations. In the light of the substantial progress achieved, the case was transferred from the enhanced to the standard supervision procedure.	***Trapani (45104/98)*** Judgment final on 12/01/2001 Standard supervision **Status of execution**
Excessive length of bankruptcy proceedings.	***Collarile*** (10652/02) Judgment final on 18/12/2012 Enhanced supervision **Status of execution**
Excessive length of compulsory administrative liquidation proceedings and lack of an effective remedy allowing the applicant to complain about it.	***Cipolletta*** (38259/09) Judgment final on 11/04/2018 Enhanced supervision **Status of execution**

Non-execution of domestic judicial decisions

Infringement of the applicants' rights to peaceful enjoyment of possessions and of access to a court due to the non-implementation or delayed implementation of domestic final judicial decisions and the impossibility for the applicants to obtain their execution through enforcement proceedings.

***Croce and Others* group** (17607/08)
Judgment final on 16/12/2021

Enhanced supervision
Status of execution

***Pennino* group** (43892/04)
Judgment final on 24/09/2013

Enhanced supervision
Status of execution

Protection of private and family life

Failure to make adequate and sufficient efforts to ensure respect of the applicant's visiting **rights and shortcomings in the functioning of the foster care system.**

***Terna* group** (21052/18)
Judgment final on 14/04/2021

Enhanced supervision
Status of execution

Protection of the environment

Failure to deal with systematic illegal dumping of waste on private land in the Campania region ("Terra dei Fuochi").

Under Article 46, the Court held that Italy had to draw up a comprehensive strategy to address the current situation, set up an independent monitoring mechanism, and establish a public information platform within within a two-year time limit.

Significant progress: A comprehensive strategy was adopted to address the different aspects of the pollution problem, including identifying polluted areas, carrying out decontamination, and managing pollution-related health risks. A Special Commissioner was appointed to coordinate the implementation of the strategy. Urgent measures (Law Decree No. 116/2025) were adopted to strengthen the legal framework on illegal waste disposal practices, restore legality and provide greater protection for public health and the environment. Progress was also made towards establishing an independent monitoring mechanism and setting up a public information platform.

Pilot judgment Cannavacciuolo and Others (51567/14)
Judgment final on 30/04/2025

Enhanced supervision
Status of execution

Failure to ensure effective protection of applicants in respect of environmental pollution caused by the landfill site of *Lo Uttaro.*

Locascia and Others (35648/10)
Judgment final on 19/01/2024

Enhanced supervision
Status of execution

Lack of reaction to air pollution by a steelwork, to the detriment of the surrounding population's health.

Cordella and Others (54414/13)
Judgment final on 24/06/2019

Enhanced supervision
Status of execution

Freedom of expression - defamation

Imposition of prison sentence on journalists and editors for defamation notwithstanding the absence of any incitation to violence or hatred.

Belpietro (43612/10)
Judgment final on 24/12/2013

Standard supervision
Status of execution

Ricci (30210/06)

	Judgment final on 08/01/2014 Standard supervision **Status of execution**
Freedom of movement	
Lack of foreseeability of the Italian legislation regulating the imposition of special preventive measures (compulsory residence order) on persons deemed to pose a danger for security or public moral (notably individuals who may be regarded as habitual offenders or who, on account of their behaviour and lifestyle, may be regarded as habitually living, even in part, on the proceeds of crime) and lack of public hearing in the relevant proceedings. *Significant progress:* amendments to the relevant legislation and reinterpretation by the higher domestic courts.	***De Tommaso*** (43395/09) Judgment final on 23/02/2017 Enhanced supervision **Status of execution**
Protection of property rights	
Compulsory confiscation of "unlawfully developed" land, regardless of any criminal liability.	***G.I.E.M. and Others*** (1828/06) Judgment final on 28/06/2018 Standard supervision **Status of execution**



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