
1369th meeting, 3-5 March 2020 (DH)

H46-13 Cordella and Others v. Italy (Application No. 54414/13)

Supervision of the execution of the European Court's judgments

Reference document
CM/Notes/1369/H46-13

Decisions

The Deputies

1. recalled that the case concerns the authorities' failure to take the necessary measures to ensure the applicants' protection from the environmental pollution caused by the ex-ILVA steel plant in Taranto, and the lack of effective remedies enabling the applicants to obtain measures securing the depollution of the areas concerned;

As regards individual measures

2. noted that individual measures are linked to the adoption of general measures, and invited the authorities to confirm the payment of the just satisfaction awarded by the European Court for costs and expenses;

As regards general measures

3. underlined the national authorities' responsibility under the Convention to put an end to the violations of the applicants' rights and to prevent similar violations, including their positive obligation under Article 8 of the Convention to regulate industrial activities so as to guarantee the effective protection of persons whose lives may be endangered by the risks inherent in these activities;

4. highlighted the importance of sustained political commitment at the highest political level to ensure that the current and future operation of the ex-ILVA steel plant no longer endangers public health and the environment;

5. stressed, as has the European Court, the importance of implementing, fully and as rapidly as possible, the environmental plan setting out the necessary measures and actions to secure environmental and health protection;

6. noted the information provided by the authorities on progress to date in the implementation of the plan and on the monitoring mechanisms put in place; urged the authorities to secure the effective implementation of the plan independently of the outcome of the ongoing discussions over the future of the steel plant, and invited them to provide updates on the results achieved and the timeline for implementation of the remaining measures; in this context, invited also the authorities to clarify whether those responsible for the implementation of the environmental plan still have criminal and administrative immunity;

7. noting, moreover, the diverging information provided by the authorities and the applicants' representative with regard to the quality of the air in Taranto, invited the authorities to submit updated information on this issue and on the impact of the continuing operation of the steel plant on the environment and the health of the local population, and to address, in this context, the concerns raised by the applicants' representative in his communication;

8. invited also the authorities to rapidly inform the Committee about the measures envisaged, legislative or other, to address the problem of lack of effective remedies, whether civil, administrative, criminal or constitutional, capable of redressing the violations established;
9. requested the authorities to provide information on all outstanding questions no later than 30 June 2020.