

Avv. Salvatore FACHILE
Studio Legale Fachile
Piazza Giuseppe Mazzini, 8
I - 00195 ROMA

FIRST SECTION

ECHR-LE4.1iR IMSI
IG/DCA/ma

08/12/2017

Application no. 18787/17
W.A. and Others v. Italy

Dear Sir,

Communication of the application to the responding Government

I write to inform you that following a preliminary examination of the admissibility of the above application on 24/11/2017, the President of the Section to which the case had been allocated decided, under Rule 54 § 2 (b) of the Rules of Court, that notice of the application should be given to the Government of Italy and that the Government should be invited to submit a statement of facts together with written observations on the admissibility and merits of the case.

You will find enclosed an information note to applicants on the proceedings after communication of an application.

Statement of facts and observations

The Government have been requested to submit a statement of facts together with their observations by 30/03/2018. These will be sent to you in order that you may submit written observations in reply on behalf of the applicants, together with any claim for just satisfaction under Article 41 (cf. Rule 60). **Please do not send any submissions before being asked to do so by the Court.** Any unsolicited submissions will normally not be included in the case file for consideration by the Court (Rule 38 § 1).

The Government have been requested to deal with the questions set out in the document appended to this letter (Subject matter of the case prepared by the Registry of the Court and Questions to the parties).

Friendly settlement

The Government have also been requested to indicate within the above time-limit their position regarding a friendly settlement of this case and to submit any proposals they may wish to make in this regard (Rule 62). The same request will be made of you when you receive their observations.


Official languages

I would inform you that at this stage of the proceedings, according to Rule 34 § 3, all communications of applicants or their representatives shall as a rule be made in one of the Court's official languages, English or French.

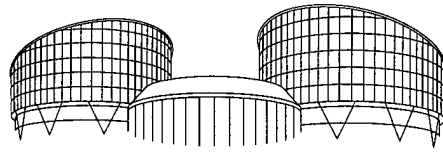
Anonymity and confidentiality

I wish to inform you that the Government have been informed of the fact that the applicants have been granted anonymity and of the consequence this entails for any documents submitted to the Court. In connection with the above decision, the President of the Section has also made a ruling to the effect that any documents deposited with the Registry in which the applicants' names appear or which could otherwise easily lead to their identification shall not be made accessible to the public (Rule 33 § 1).

Yours faithfully,


Renata Degener
Deputy Section Registrar

Enc.: Subject matter of the case and Questions
Information note



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

Communicated on 24 November 2017

FIRST SECTION

Application no. 18787/17
W.A. and Others
against Italy
lodged on 13 February 2017

SUBJECT MATTER OF THE CASE

The application concerns five Sudanese nationals arrested in Ventimiglia, transferred in Turin and then forcibly repatriated to Sudan.

QUESTIONS TO THE PARTIES

1. Before deciding on their expulsion, did the authorities consider the applicants' claim that they would be exposed to a risk of being subjected to inhuman treatment if returned to Sudan, in breach of Article 3 of the Convention?
2. Were the applicants, aliens in the respondent State, expelled collectively, in breach of Article 4 of Protocol No. 4?
3. Did the applicants have at their disposal an effective domestic remedy for their Convention complaints under Articles 3 and 4 of Protocol No. 4, as required by Article 13 of the Convention?
4. Have the applicants suffered discrimination in the enjoyment of their Convention rights on the ground of their national origin, contrary to Article 14 of the Convention, read in conjunction with Article 4 Protocol 4 to the Convention?