



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

FIRST SECTION

CASE OF BECK v. SWEDEN

(Application no. 26978/95)

JUDGMENT
(Striking out)

STRASBOURG

9 January 2001

In the case of Beck v. Sweden,

The European Court of Human Rights (First Section), sitting as a Chamber composed of:

Mrs W. THOMASSEN, *President*,

Mrs E. PALM,

Mr L. FERRARI BRAVO,

Mr C. BÎRSAN,

Mr J. CASADEVALL,

Mr B. ZUPANČIČ,

Mr T. PANTÎRU, *judges*,

and Mr M. O'BOYLE, *Section Registrar*,

Having deliberated in private on 14 December 2000,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in an application (no. 26978/95) against Sweden lodged with the European Commission of Human Rights ("the Commission") under former Article 25 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by a Swedish national, Mr Bror Beck ("the applicant"), on 25 January 1995.

2. The Swedish Government ("the Government") were represented by their Agent, Ms E. Jagander of the Ministry for Foreign Affairs.

3. The applicant complained, *inter alia*, under Article 6 § 1 of the Convention about the length of 6 sets of civil proceedings. He also complained that in specific circumstances the Public Prosecutor did not investigate alleged offences committed by public officials.

4. Following communication of the application to the Government by the Commission, the case was transferred to the Court on 1 November 1998 by virtue of Article 5 § 2 of Protocol No. 11 to the Convention. On 23 May 2000, having obtained the parties' observations, the Court declared the application admissible in so far as it concerned the length of 1 set of civil proceedings. The applicant's further complaints were declared inadmissible.

5. On 4 July 2000, after an exchange of correspondence, the Registrar suggested to the parties that they should attempt to reach a friendly settlement within the meaning of Article 38 § 1 (b) of the Convention. On 14 November 2000 the Agent of the Government submitted a formal declaration whereby a friendly settlement of the case had been reached.

THE FACTS

6. On 27 March 1991 the applicant requested compensation for an occupational injury, referring to health problems allegedly resulting from his work as a sailor in the 1950's. On 4 September 1991 the National Social Insurance Board (*Riksförsäkringsverket*) rejected his claim. The applicant appealed against this decision to the County Administrative Court (*länsrätten*) of the County of Stockholm which dismissed the appeal on 29 June 1993. A further appeal was dismissed by the Administrative Court of Appeal (*Kammarrätten*) of Stockholm on 29 September 1995. Leave to appeal against this judgment was refused by the Supreme Administrative Court (*Regeringsrätten*) on 26 June 1997.

THE LAW

7. On 14 November 2000 the Court received the following declaration from the parties:

“SETTLEMENT

On 23 May 2000 the European Court of Human Rights declared partly admissible and partly inadmissible application no. 26978/95 lodged by Bror Beck against Sweden.

The Swedish Government and the applicant have now reached the following friendly settlement, on the basis of respect for human rights as defined in the European Convention for the Protection of Human Rights and Fundamental Freedoms, in order to terminate the proceedings before the Court.

- a) The Government will pay, *ex gratia*, the sum of SEK 20,000 to the applicant.
- b) The applicant declares that he has no further claims on the Swedish State based on the facts of the above application.
- c) The Swedish Government and the applicant undertake not to request the reference of the case to the Grand Chamber under Article 43 § 1 of the Convention after the delivery of the Court's judgment.

This settlement is dependent upon the formal approval of the Swedish Government at a Cabinet meeting.

Stockholm, 18 September 2000

Signed
Eva Jagander
Agent of the Swedish
Government

Rätan, September 2000

Signed
Bror Beck
Applicant”

8. This settlement was approved by the Swedish Government on 9 November 2000.

9. The Court takes note of the agreement reached between the parties (Article 39 of the Convention). It is satisfied that the settlement is based on respect for human rights as defined in the Convention or its Protocols (Article 37 § 1 *in fine* of the Convention and Rule 62 § 3 of the Rules of Court).

10. Accordingly, the case should be struck out of the list.

FOR THESE REASONS, THE COURT UNANIMOUSLY

1. *Decides* to strike the case out of the list;
2. *Takes note* of the parties' undertaking not to request a rehearing of the case before the Grand Chamber.

Done in English, and notified in writing on 9 January 2001, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Michael O'BOYLE
Registrar

Wilhelmina THOMASSEN
President