



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

SECOND SECTION

**CASE OF SALI v. SWEDEN**

*(Application no. 67070/01)*

JUDGMENT  
(Friendly settlement)

STRASBOURG

10 October 2006

*This judgment is final but it may be subject to editorial revision.*



**In the case of Sali v. Sweden,**

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

Mr J.-P. COSTA, *President*,

Mr A.B. BAKA,

Mr I. CABRAL BARRETO,

Mrs A. MULARONI,

Mrs E. FURA-SANDSTRÖM,

Ms D. JOČIENĚ,

Mr D. POPOVIĆ, *judges*,

and Mrs S. DOLLÉ, *Section Registrar*,

Having deliberated in private on 19 September 2006,

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

## PROCEDURE

1. The case originated in an application (no. 67070/01) against the Kingdom of Sweden lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a Swedish national, Nergul Sali (“the applicant”), on 27 February 2001.

2. The applicant was represented by Mr Alexander Broch, a lawyer practising in Malmö. The Swedish Government (“the Government”) were represented by their Agent, Mrs Anita Linder of the Ministry of Foreign Affairs.

3. The applicant complained under Article 6 § 1 of the Convention about the length of civil proceedings.

4. On 10 January 2006, after obtaining the parties’ observations, the Court declared the application admissible in respect of this complaint. Further complaints of the applicant were declared inadmissible on the same date.

## THE FACTS

5. The applicant was born in 1968. In November 1989 she and her brother started a grocer’s shop. In September 1993 the business was turned into a limited partnership and the applicant’s partnership was limited to a share worth 100 Swedish kronor (SEK), equal to approximately 10 euros (EUR). During the period from March 1990 until September 1993, the applicant had obtained financial support in the form of either sickness benefits or parental benefits. Subsequently, she applied to the Grocer’s

Unemployment Fund for the grant of unemployment benefit as from 4 October 1993. Her application was refused by the Fund on 24 November 1993. The applicant appealed in vain against the decision to the National Labour Market Board (*Arbetsmarknadsstyrelsen*) and the County Administrative Court in Stockholm (*Länsrätten i Stockholm*), which gave judgment on 22 February 1996. On 11 November 1997 the Administrative Court of Appeal in Stockholm (*Kammerrätten i Stockholm*) dismissed the applicant's appeal against the judgment, and leave to appeal to the Supreme Administrative Court (*Regeringsrätten*) was refused by the latter on 31 August 2000.

## THE LAW

6. On 9 June 2006 the Government's Agent submitted to the Court a letter, to which was attached the following declaration, signed on 17 February 2006 respectively by the Agent and counsel for the applicant:

### “SETTLEMENT

On 10 January 2006, the European Court of Human Rights (Second Section) declared admissible application no. 67070/01 lodged by Mrs Nergul Sali (“the applicant”) against Sweden.

The Swedish Government (“the 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 70,000 (seventy thousand) to the applicant. The amount will be paid to her counsel, Mr Alexander E. Broch, who has been authorised by the applicant to receive payment on her behalf. Execution of the payment will take place when the Government has received the Court's judgment striking the case out of its list of cases.

b) The applicant declares that she has no further claims on the Swedish State based on the facts of the above application.

c) The 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 Government at a Cabinet meeting.”

7. On 5 July 2006 the Agent of the Swedish Government submitted a further letter to the Court, confirming that the Government at a Cabinet meeting had formally approved the settlement of 17 January 2006 and that

the *ex gratia* payment would be made in accordance with the settlement, namely when the case had been struck out of the list of cases.

8. 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).

9. 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 10 October 2006, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

S. DOLLÉ  
Registrar

J.-P. COSTA  
President