



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

FOURTH SECTION

DECISION

Application no. 41095/05  
Todor SLAVOV and Others against Bulgaria  
and 6 other applications  
(see list appended)

The European Court of Human Rights (Fourth Section), sitting on 10 May 2012 as a Committee composed of:

Päivi Hirvelä, *President*,

Ledi Bianku,

Nebojša Vučinić, *judges*,

and Fatoş Aracı, *Deputy Section Registrar*,

Having regard to the applications listed in the table below, communicated as part of the group of Slavov and Others and 15 other applications (no. 41095/05 and others).

Having regard to the pilot judgment in the cases of *Dimitrov and Hamanov v. Bulgaria*, nos. 48059/06 and 2708/09, § 133, 10 May 2011,

Having regard to the formal declarations accepting a friendly settlement of the cases,

Having deliberated, decides as follows:

PROCEDURE

The applicants are Bulgarian nationals whose names and dates of birth are specified in the table below. Some of the applicants were legally represented. The legal representatives involved were Mr A. Atanasov, Ms G. Chernicherska, Ms S. Stefanova. Mr M. Ekimdzhiev, Ms Z. Doncheva, Mr V. Stoyanov, Ms I. Savova and Mr K. Stanchev. The

Bulgarian Government (“the Government”) were represented by their Agent, Ms R. Nikolova, of the Ministry of Justice.

The essential information as to the length of the proceedings in which the applicants were involved is indicated in the attached table.

On 18 October 2011 the President of the Fourth Section decided to communicate the applicants’ complaints under Article 6 § 1 of the Convention concerning the length of criminal proceedings and in some cases the complaints under Article 13 concerning the lack of effective remedies in relation to the length.

## THE LAW

The Court considers that in accordance with Rule 42 § 1 of the Rules of Court, the applications should be joined, given their common legal background.

On various dates (see table below) the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Bulgaria in respect of the facts giving rise to these applications against an undertaking by the Government to pay them various sums, which will cover any and all damage, as well as costs and expenses, and would be free of any taxes that may be applicable, to be converted into the national currency of the respondent State at the rate applicable on the day of payment. The sums would be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. In the event of failure to pay these sums within the said three-month period, the Government undertook to pay simple interest on them from expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. This payment would constitute the final resolution of the cases.

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlements are based on respect for human rights as defined in the Convention and its Protocols and finds no reason to justify a continued examination of the applications (Article 37 § 1 *in fine* of the Convention). In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

*Decides* to join the applications;

*Decides* to strike the applications out of its list of cases.

Fatoş Aracı  
Deputy Registrar

Päivi Hirvelä  
President

| No. | Application no. | Lodged on  | Applicant's name, year of birth, place of residence  | Beginning and end of the domestic proceedings  | Subject matter of domestic proceedings | Length of proceedings and instances concerned  | Communicated complaints   | Date of applicant friendly settlement declaration | Date of Government's friendly settlement declaration | Friendly settlement sums (in euros) |
|-----|-----------------|------------|--|--|--|--|---|---|--|-------------------------------------|
| 1.  | 41095/05        | 28/10/2005 | <b>Todor Savov SLAVOV</b><br>1966<br>Pudarsko<br><br><b>Yanko Aleksandrov YANKOV</b><br>1963<br>Striama<br><br><b>Angel Andonov MITEV</b><br>1963<br>Plovdiv<br><br><b>Aleksandr Arsenov CHAKAROV</b><br>1973<br>Perushtitsa | <b>From:</b><br>- 14/12/1994<br>(for the first and fourth applicants)<br><br>- 24/01/2002<br>(for the second applicant)<br><br>- 04/12/2002<br>(for the third applicant)<br><br><b>Until:</b><br>03/05/2005<br>(out of court agreement for all applicants) | Criminal proceedings for theft         | - 10 years and 4 months<br>(one level of jurisdiction)<br>for the first and fourth applicants<br><br>- 3 years and 2 months<br>(one level of jurisdiction)<br>for the second applicant<br><br>- 2 years and 4 months<br>(one level of jurisdiction)<br>for the third applicant | Only in respect of the first and fourth applicants<br><br><b>Art. 6 § 1</b><br>(length of proceedings)<br><br><b>Art. 13</b><br>(lack of effective remedies in respect of length) | 5 December 2011                                   | 29 March 2012  | 3,250 per applicant                 |

|    |          |            |   |   |                                       |  |  |                  |               |                     |
|----|----------|------------|---|---|---------------------------------------|--|--|------------------|---------------|---------------------|
| 2. | 12216/06 | 13/03/2006 | <p><b>Sasho Nikolov ZAPRYANOV</b><br/>1962<br/>Plovdiv</p> <p><b>Stefan Asenov ZHIVKOV</b><br/>1958<br/>Plovdiv</p> | <p><b>From:</b><br/>- 14/06/1995<br/>(for the first applicant)<br/>- 23/04/1995<br/>(for the second applicant)</p> <p><b>Until:</b><br/>23/11/2005<br/>(out of court agreement for both applicants)</p>   | Criminal proceedings for theft        | <p>10 years and 5 months<br/>(one level of jurisdiction)<br/>for the first applicant</p> <p>10 years and 7 months<br/>(one level of jurisdiction)<br/>for the second applicant</p> | <p><b>Art. 6 § 1</b><br/>(length of proceedings)</p> <p><b>Art. 13</b><br/>(lack of effective remedies in respect of length)</p> | 5 December 2011  | 29 March 2012 | 3,250 per applicant |
| 3. | 21872/06 | 23/05/2006 | <p><b>Stoilka Georgieva MARKOVA</b><br/>1948<br/>Sliven</p>   | <p><b>Beginning of the proceedings:</b><br/>28/02/1989<br/>(charges against the applicant )</p> <p><b>Period starting from:</b><br/>07/09/ 1992<br/>(ratification of the Convention by Bulgaria)</p> <p><b>Until:</b><br/>16/06/2006<br/>(discontinuation of the proceedings)</p> | Criminal proceedings for embezzlement | <p>17 years and 3 months, of which 13 years and 9 months within the Court's competence <i>ratione temporis</i><br/>(two levels of jurisdiction)</p>                                | <p><b>Art. 6 § 1</b><br/>(length of proceedings)</p> <p><b>Art. 13</b><br/>(lack of effective remedies in respect of length)</p> | 23 November 2011 | 29 March 2012 | 5,500               |

|    |          |            |   |  |                                |   |  |                 |               |                     |
|----|----------|------------|---|--|--------------------------------|---|--|-----------------|---------------|---------------------|
| 4. | 24521/06 | 07/06/2006 | <p><b>Manol Zlatanov GOGOV</b><br/>1968<br/>Stryama</p> <p><b>Rangel Angelov MANOLOV</b><br/>1960<br/>Rakovski</p> <p><b>Apostol Yankov STEFANOV</b><br/>1968<br/>Momino Selo</p> | <p><b>Beginning of the proceedings:</b><br/>12 and 15/06/1992<br/>(questionings of the applicants)</p> <p><b>Period starting from:</b><br/>07/09/ 1992<br/>ratification of the Convention by Bulgaria</p> <p><b>Until:</b><br/>15/12/2005<br/>(out of court agreement)</p> | Criminal proceedings for theft | 13 years and 6 months, of which 13 years and 3 months within the Court's competence <i>ratione temporis</i> (one level of jurisdiction) | <p><b>Art. 6 § 1</b><br/>(length of proceedings)</p> <p><b>Art. 13</b><br/>(lack of effective remedies in respect of length)</p> | 1 December 2011 | 29 March 2012 | 2,800 per applicant |
| 5. | 33546/06 | 08/08/2006 | <p><b>Ivan Georgiev GENUROV</b><br/>1973<br/>Pazarzdihik</p>  | <p><b>From:</b><br/>June 1996</p> <p><b>Until:</b><br/>pending as of 23/11/2006<br/>(applicant's last correspondence to the Court)</p>   | Criminal proceedings for theft | 10 years and 5 months until 23/11/2006 (one level of jurisdiction)  | <p><b>Art. 6 § 1</b><br/>(length of proceedings)</p> <p><b>Art. 13</b><br/>(lack of effective remedies in respect of length)</p> | 2 December 2011 | 29 March 2012 | 3,500               |

|    |          |            |   |  |  |  |   |                  |               |       |
|----|----------|------------|---|--|--|--|---|------------------|---------------|-------|
| 6. | 25154/07 | 05/06/2007 | <b>Iliya Neshev<br/>KARANESHEV</b><br>1958<br>Plovdiv   | <b>From:</b><br>14/04/1993<br><br><b>Until:</b><br>06/12/2006  | Criminal<br>proceedings<br>for fraud             | 13 years and<br>7 months<br>(one level of<br>jurisdiction) | <b>Art. 6 § 1</b><br>(length of proceedings)<br><br><b>Art. 13</b><br>(lack of effective<br>remedies in respect of<br>length) | 30 November 2011 | 29 March 2012 | 6,500 |
| 7. | 44437/07 | 10/10/2007 | <b>Tzvetan Krastev<br/>IVANOV</b><br>1978<br>Pazardzhik | <b>From:</b><br>19/03/1997<br><br><b>Until:</b><br>03/01/2008<br>(date of entry into<br>force of the<br>judgment of the<br>Pazardzhik<br>District Court) | Criminal<br>proceedings<br>for several<br>thefts | 10 years and<br>9 months<br>(one level of<br>jurisdiction) | <b>Art. 6 § 1</b><br>(length of proceedings)<br><br><b>Art. 13</b><br>(lack of effective<br>remedies in respect of<br>length) | 7 November 2011  | 29 March 2012 | 4,000 |