



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

FIRST SECTION

DECISION

Application no. 17838/07
Tamara Nikolayevna MASLOVA
against Russia

The European Court of Human Rights (First Section), sitting on 15 April 2014 as a Committee composed of:

Khanlar Hajiyeu, *President*,

Julia Laffranque,

Erik Møse, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 2 April 2007,

Having regard to the decision to apply the pilot-judgment procedure taken in the case of *Burdov v. Russia (no. 2)* (no. 33509/04, ECHR 2009),

Having regard to the declaration submitted by the Government and the applicant's acceptance of its terms,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Tamara Nikolayevna Maslova, is a Russian national, who was born in 1936 and lives in Obninsk.

The Russian Government ("the Government") were represented by their Agent, Mr Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 of the Convention about the delayed enforcement of a judgment of a domestic court delivered in her favour.

By a letter dated 3 April 2013 the Government informed the Court that they proposed to make a declaration with a view to resolving the issue raised by the application. They acknowledged the violation of the applicant's rights in connection with delayed enforcement of the judgment delivered in her favour and stated their readiness to pay 1,356 euros to the applicant as just satisfaction. The payment was to cover any pecuniary and

non-pecuniary damage, together with any costs and expenses incurred, and will be free of any taxes that may be chargeable. It would be effected within a period of three months from the date of notification of the decision taken by the Court. In the event of failure to pay within that period, the Government undertook to pay simple interest on it, 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. The payment would constitute the final resolution of the case.

In her letter received on 30 July 2013, the applicant informed the Court that she agreed to the terms of the Government's declaration.

THE LAW

The Court considers that the applicant's express agreement to the terms of the declaration made by the Government shall be considered as a friendly settlement between the parties (see *Cēsnieks v. Latvia* (dec.), no. 9278/06, § 34, 6 March 2012, and *Bakal and Others v. Turkey* (dec.), no. 8243/08, 5 June 2012).

The Court therefore takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination of the application.

As regards the question of implementation of the Government's undertakings, the Committee of Ministers remains competent to supervise this matter in accordance with Article 46 of the Convention (see the Committee's decisions of 14-15 September 2009 (CM/Del/Dec(2009)1065) and Interim Resolution CM/ResDH(2009)158 concerning the implementation of the *Burdov* (no. 2) judgment). In any event the Court's present ruling is without prejudice to any decision it might take to restore, pursuant to Article 37 § 2 of the Convention, the present application to the list of cases (see *E.G. v. Poland* (dec.), no. 50425/99, § 29, ECHR 2008 (extracts)).

In view of the above, it is appropriate to strike the case out of the list in accordance with Article 39 of the Convention.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President