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

THIRD SECTION

DECISION

Application no. 21723/08
Rhamona Bertliesje ADAMS
against the Netherlands

The European Court of Human Rights (Third Section), sitting on 12 November 2013 as a Committee composed of:

Alvina Gyulumyan, *President,*
Kristina Pardalos,
Johannes Silvis, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 5 May 2008,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Rhamona Bertliesje Adams, is a Dutch national, who was born in 1954 and lives in ‘s-Gravenhage. She was represented before the Court by Mr J.S. Spijkerman, a lawyer practising in ‘s-Gravenhage.

The Dutch Government (“the Government”) were represented by their Deputy Agent, Ms L. Egmond, of the Ministry of Foreign Affairs.

The applicant complained that her rights under Article 6 § 3 (c), taken together with Article 6 § 1 of the Convention, were violated as police interrogations had taken place without her having been able to consult a lawyer and since her confession made during one of those interrogations had been used in evidence against her.

On 6 and 11 September 2013 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against the Netherlands in respect of the facts giving rise to this application against an undertaking by the Government to pay her 5,000 euros, plus any tax that may be chargeable, which amount will be

payable within three months from the date of notification of the decision taken by the Court. This amount did not cover costs and expenses, in view of the fact that the applicant had already been provided with State-sponsored legal aid (*toevoeging*). In the event of failure to pay this sum within the said three-month period, the Government undertook to pay simple interest on it, from the 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 will constitute the final resolution of the case.

THE LAW

The Court 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. In view of the above, it is appropriate to strike the case out of the list.

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.

Marialena Tsirli
Deputy Registrar

Alvina Gyulumyan
President