

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

THIRD SECTION

DECISION

Application no. 20763/08
Nicolae AMARIEI
against Romania

The European Court of Human Rights (Third Section), sitting on 27 May 2014 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 16 April 2008,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Nicolae Amariei, is a Romanian national, who was born in 1975 and lives in Iași. He was represented before the Court by Ms R.E. Amariei, a lawyer practising in Iași.

The Romanian Government ("the Government") were represented by their Agent, Ms C. Brumar, of the Ministry of Foreign Affairs.

The applicant complained under Article 6 § 1 of the Convention about the length of the criminal proceedings against him and under Article 2 §§ 2 and 3 of Protocol No. 4 to the Convention about the prohibition on leaving the country imposed on him throughout the criminal proceedings.

On 3 April 2014 and 10 April 2014 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Romania in respect of the facts giving rise to this application against an undertaking by the Government to pay him 4,000 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into the respondent

State's national currency at the rate applicable on the date of payment, will be free of any taxes that may be applicable, and payable within three months from the date of notification of the decision taken by the Court. 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