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

THIRD SECTION

DECISION

Application no. 51930/09
Dana ANTON
against Romania

The European Court of Human Rights (Third Section), sitting on 1 October 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 19 September 2009,

Having regard to the declaration submitted by the respondent Government on 12 March 2013 requesting the Court to strike the application out of the list of cases and the applicant's reply to that declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Dana Anton, is a Romanian national, who was born in 1958 and lives in Bacau.

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

The application concerns the alleged infringement of the applicant's right to access to court on account of having her action dismissed due to failure to pay stamp duty.

The application was communicated to the Government.

After unsuccessful friendly-settlement negotiations, by letter dated 12 March 2013 the Government informed the Court that they proposed to make a declaration with a view to resolving the issues raised by the application.

The declaration provided as follows:

> "The Government declare, by way of this unilateral declaration, their acknowledgement of the existence of a violation of the right to access to a court. The Government is prepared to pay to the applicant, as just satisfaction the total sum of EUR 3,240 (three thousand two hundred forty) euros, amount which they consider reasonable in the light of the Court's case-law. This sum is to cover all damage as well as the costs and expenses and will be free of any taxes that may be applicable. This sum will be payable in Romanian lei to the indicated account of the applicant within three months from the date of the notification of the decision pursuant to Article 37 § 1 of the Convention. In the event of failure to pay this sum within the said period, the Government undertake 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. Therefore, the Government respectfully invite the Court rule that the examination of the present application is no longer justified and to strike the application out of its list of cases, pursuant to Article 37 § 1 (c) of the Convention."

On 25 April 2013, the Court received a letter from the applicant informing the Court that she had agreed to the terms of the Government's declaration.

THE LAW

The Court finds that following the applicant's express agreement to the terms of the declaration made by the Government the case should be treated as a friendly settlement between the parties.

It 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.

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 pursuant to Article 39 of the Convention.

Marialena Tsirli Deputy Registrar	Alvina Gyulumyan President