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

SECOND SECTION

DECISION

Application no. 18350/21
Mustafa BAĞCI
against Türkiye
(see appended table)

The European Court of Human Rights (Second Section), sitting on 6 February 2025 as a Committee composed of:

Gediminas Sagatys*, President*,
Stéphane Pisani,
Juha Lavapuro*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 13 March 2021,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Ms S. Demir İşçimen, a lawyer practising in Ankara.

The applicant's complaints under Article 6 § 1 of the Convention concerning the right of access to a court were communicated to the Turkish Government ("the Government").

The Government submitted a declaration with a view to resolving the issues raised by these complaints and asked the Court to strike out the application. They emphasised that Article 375 § 1 (i) of the Code of Civil Procedure, as amended by Law no. 7145 of 31 July 2018, required reopening of civil proceedings in cases where the European Court of Human Rights decided to strike an application out of its list of cases following a friendly settlement or a unilateral declaration. The Government further offered to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37

§ 1 (c) of the Convention. The amount would be converted into the currency of the respondent State at the rate applicable on the date of payment, and would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned 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 before the European Court of Human Rights.

The applicant informed the Court that he agreed to the terms of the 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 the Protocols thereto and finds no reasons to justify the 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.

Done in English and notified in writing on 6 March 2025.

Viktoriya Maradudina Acting Deputy Registrar	Gediminas Sagatys President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (right of access to a court)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for any and all non-pecuniary damage and costs and expenses per applicant (in euros)[1]
18350/21 13/03/2021	**Mustafa BAĞCI** 1945	Senem Demir İşçimen Ankara	29/05/2023	14/06/2023	2,500

[1] Plus any tax that may be chargeable to the applicant.