

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

THIRD SECTION

DECISION

Application no. 28951/08
Constantin BOBEŞ and Others
against Romania

The European Court of Human Rights (Third Section), sitting on 18 Juin 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 10 June 2008,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

A list of the applicants is set out in the appendix.

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

The application concerns the length of criminal proceedings in which the applicants were involved. They relied on Article 6 § 1 of the Convention.

On 28 March 2013 and 30 April 2013, the Court received friendly settlement declarations signed by the parties, under which the applicants 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 to each of them the sum of EUR 2,000 (two thousand euros) to cover any pecuniary and non-pecuniary damage as well as costs and expenses,

which will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. They will be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. 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 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 present 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

APPENDIX

No.	Applicant's name	Date of Birth	Nationality	Place of Residence
1.	Constantin BOBEȘ	24 March 1955	Romanian	Constanța
2.	Andrei Dan IONESCU	1 December 1951	Romanian	Constanța
3.	Mihail CONSTANTINESCU	6 April 1949	Romanian	Constanța