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

FIRST SECTION

DECISION

Application no. 74941/14
Kleopatra CAKA
against Albania

The European Court of Human Rights (First Section), sitting on 24 January 2017 as a Committee composed of:

Kristina Pardalos, *President,*
Pauliine Koskelo,
Tim Eicke, *judges,*

and Renata Degener, *Deputy Section Registrar,*

Having regard to the above application lodged on 18 November 2014,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Kleopatra Caka, is an Albanian national, who was born in 1963 and lives in Tirana. She was represented before the Court by Mr F. Caka, a lawyer practising in Tirana.

The Albanian Government ("the Government") were represented by their Agent, Ms A. Hicka of the State Advocate's Office.

The applicant complained that there had been a breach of Articles 6 § 1 and 13 of the Convention, as well as Article 1 of Protocol No. 1 to the Convention, on account of the non-enforcement of final court decision given in her favour, ordering payment of damages as a result of her unfair dismissal from work.

On 22 September and 3 November 2016 the Court received friendly settlement declarations signed by the parties, under which the applicant agreed to waive any further claims against Albania in respect of the facts giving rise to this application against an undertaking by the Government to

pay her EUR 10,400 (ten thousand four hundred euros) to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into the national currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It will be 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.

Done in English and notified in writing on 16 February 2017.

Renata Degener
Deputy Registrar

Kristina Pardalos
President