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

FOURTH SECTION

DECISION

Application no. 43717/16
Joseph CAMILLERI
against Malta

The European Court of Human Rights (Fourth Section), sitting on 23 May 2017 as a Committee composed of:

Iulia Motoc, *President,*
Vincent A. De Gaetano,
Marko Bošnjak, *judges,*

and Andrea Tamietti, *Deputy Section Registrar,*

Having regard to the above application lodged on 26 July 2016,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Anton Camilleri, is a Maltese national, who was born in 1966 and lives in Attard. He was represented before the Court by Dr I. Refalo and Dr. S. Grech, lawyers practising in Malta.

2. The Maltese Government ("the Government") were represented by their Agent, Dr P. Grech, Attorney General.

3. The applicant complained under Article 6 § 1 of the Convention about the length of his constitutional redress proceedings.

4. On 23 November 2016 and 21 February 2015 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Malta in respect of the facts giving rise to this application against an undertaking by the Government to pay him EUR 3,500 (three thousand five hundred euros) to cover any pecuniary and non-pecuniary damage as well as costs and expenses. This sum will be free of any taxes that may be applicable and 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

5. 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 15 June 2017.

Andrea Tamietti
Deputy Registrar

Iulia Motoc
President