

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

THIRD SECTION

DECISION

Application no. 27780/10
Eleonóra ČAPČÍKOVÁ
against Slovakia

The European Court of Human Rights (Third Section), sitting on 6 March 2012 as a Committee composed of:

Nona Tsotsoria, *President,*
Ján Šikuta,
Mihai Poalelungi, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 9 May 2010,

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

Having deliberated, decides as follows:

PROCEDURE

The applicant, Ms Eleonóra Čapčíková, is a Slovak national who was born in 1949 and lives in Banská Bystrica. The Government of the Slovak Republic ("the Government") were represented by their Agent, Ms M. Pirošíková.

The applicant complained under Article 6 § 1 of the Convention about the length of civil proceedings and under Article 1 of Protocol No. 1 that she cannot use the property which is the subject-matter of those proceedings.

On 19 and 22 December 2011 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Slovakia in respect of the facts giving rise to this

application against an undertaking by the Government to pay her 2,500 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, 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 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 application (Article 37 § 1 *in fine* of the Convention).

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.

Marialena Tsirli Deputy Registrar	Nona Tsotsoria President