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

# FIFTH SECTION

# DECISION

Application no. 17203/13
Tsvetan Tsenov DAMYANOV
against Bulgaria

The European Court of Human Rights (Fifth Section), sitting on 14 June 2016 as a Committee composed of:

Erik Møse, *President*,
Yonko Grozev,
Mārtiņš Mits, *judges*,
and Milan Blaško, *Deputy Section Registrar*,

Having regard to the above application lodged on 31 January 2013,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Tsvetan Tsenov Damyanov, is a Bulgarian national, who was born in 1942 and lives in Sofia.

The Bulgarian Government ("the Government") were represented by their Agent, Ms V. Hristova, of the Ministry of Justice.

The applicant complained under Article 6 § 1 and Article 1 of Protocol No. 1 to the Convention about the failure of the national authorities to enforce final court decisions in the applicant's favour.

On 6 November 2014 and 2 July 2015 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Bulgaria in respect of the facts giving rise to this application against an undertaking by the Government to pay him 1,200 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Bulgarian levs at the rate applicable on the date of payment, and will be free of any taxes that

may be applicable. The sum 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 7 July 2016.

Milan Blaško
Deputy Registrar

Erik Møse
President