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

SECOND SECTION

DECISION

Application no 13597/12
Saime KAVAK and Özlem ORAL
against Turkey

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

Paul Lemmens, *President,*
Ksenija Turković,
Jon Fridrik Kjølbro, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 1 February 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Ms Saime Kavak and Ms Özlem Oral, are Turkish nationals, who were born in 1981 and 1976 respectively and live in Istanbul. The applicants were the co-owners of a biweekly periodical published in Turkey, namely *Yeni Evrede Mücadele Birliği*. They were represented before the Court by Ms S. Sarıkaya, a lawyer practising in Istanbul.

The Turkish Government ("the Government") were represented by their Agent.

The applicants complained under Articles 6 § 1, 10, 13 of the Convention as well as Article 1 of Protocol No. 1 about the national courts' decisions to suspend the publication and distribution of the periodical *Yeni Evrede Mücadele Birliği* for a period of one month.

On 22 October and 26 November 2015 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Turkey in respect of the facts

giving rise to these applications against an undertaking by the Government to pay the amounts below:

- EUR 1,800 (one thousand eight hundred euros) to the applicants, each, to cover any and all pecuniary and non-pecuniary damage;
- EUR 1,000 (one thousand euros) to the applicants, jointly, to cover any and all costs and expenses.

The aforementioned amounts will be converted into the national currency at the rate applicable on the date of payment, and 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 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.

Hasan Bakırcı	Paul Lemmens
Deputy Registrar	President