

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

FIFTH SECTION

DECISION

Application no. 8039/11
Roman KOLÁŘ
against the Czech Republic

The European Court of Human Rights (Fifth Section), sitting on 26 March 2013 as a Committee composed of:

Angelika Nußberger, *President,*
André Potocki,
Aleš Pejchal, *judges,*
and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 25 January 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Roman Kolář, is a Czech national, who was born in 1967 and lives in Příbram.

The Czech Government ("the Government") were represented by their Agent, Mr V.A. Schorm, of the Ministry of Justice.

The applicant complained under Article 6 of the Convention of the length of the proceedings to which he was a party.

The Court received friendly settlement declarations signed by the parties and dated 20 November 2012 and 4 February 2013 respectively under which the applicant agreed to waive any further claims against the Czech Republic in respect of the facts giving rise to this application against an

undertaking by the Government to pay him 6,900 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Czech korunas at the rate applicable on the date of payment, and will be free of any taxes that might 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.

Stephen Phillips
Deputy Registrar

Angelika Nußberger
President