

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

FIFTH SECTION

DECISION

Application no. 10324/09
Dejan KOMLJEN
against Slovenia

The European Court of Human Rights (Fifth Section), sitting on 26 June 2012 as a Committee composed of:

Ann Power-Forde, *President,*
Boštjan M. Zupančič,
Angelika Nußberger, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 11 February 2009,

Having regard to the Government's settlement proposal made to the applicant,

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr Dejan Komljen, is a Slovenian national, who was born in 1985 and lives in Celje He was represented before the Court by Ms N. Freitag, a lawyer practising in Celje.

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

The applicant was a party to proceedings which were finally resolved before 1 January 2007, that is, before the 2006 Act on the Protection of the Right to a Trial without Undue Delay ("the 2006 Act") became operational. He subsequently lodged an appeal on points of law with the Supreme Court. The applicant complained under Article 6 § 1 of the Convention about the

excessive length of proceedings and under Article 13 of the Convention about the lack of an effective domestic remedy in that regard.

After the Government had been given notice of the application, they informed the Court that they had made a settlement proposal to the applicant. The applicant subsequently informed the Court that he had reached a settlement with the State Attorney's Office and that he wished to withdraw his application introduced before the Court.

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.

Stephen Phillips Deputy Registrar	Ann Power-Forde President