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

FIFTH SECTION

DECISION

Application no. 38149/11
Grygoriy Vasylyovych LOGVYNOVSKYY and Galyna Mykhaylivna LOGVYNOVSKA
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 21 June 2016 as a Committee composed of:

André Potocki, *President,*
Ganna Yudkivska,
Síofra O'Leary, *judges,*

and Milan Blaško, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 June 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Grygoriy Vasylyovych Logvynovskyy and Ms Galyna Mykhaylivna Logvynovska, are Ukrainian nationals, who were born in 1943 and 1945, respectively, and live in Trostyanets.

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

The applicants complained under Article 1 of Protocol No. 1 about the State's failure to pay the supplement to their pensions for the period between 2 April and 31 December 2006 pursuant to section 6 of the Children of War Social Protection Act.

On 10 February and 20 May 2016 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Ukraine in respect of the facts giving rise to this application against an undertaking by the Government to pay them

jointly 500 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into the currency of the respondent state at the rate applicable on the date of payment, and will be 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. 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 12 July 2016.

Milan Blaško
Deputy Registrar

André Potocki
President