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

FIFTH SECTION

DECISION

Application no. 27999/10
Georgi Dimitrov MARASHLIEV and Gelka Dimitrova GYORCHEVA
against Bulgaria

The European Court of Human Rights (Fifth Section), sitting on 12 January 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 21 April 2010,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Georgi Dimitrov Marashliev and Ms Gelka Dimitrova Gyorcheva, are Bulgarian nationals, who were born in 1937 and 1942 respectively. The first applicant lives in Haskovo, and the second one lives in Svilengrad. The applicants were represented before the Court by Mr A. Georgiev and Ms N. Kouzminova-Yaneva, lawyers practising in Haskovo. The Bulgarian Government ("the Government") were represented by their Agent, Ms A. Panova, from the Ministry of Justice.

The applicants complained, relying on Article 1 of Protocol No. 1 and Article 13 of the Convention, of excessive delays in the process of restitution of agricultural land. On 18 May 2015 the application was communicated to the respondent Government.

On 22 June and 16 November 2015 the Court received friendly settlement declarations signed by the parties. The applicants agreed to waive any further claims against Bulgaria in respect of the facts giving rise to the

present application against an undertaking by the Government to pay them 7,500 euros (to be distributed in accordance with their inheritance shares), to cover any pecuniary and non-pecuniary damage as well as costs and expenses, plus any tax that may be chargeable to them. This sum would be converted into Bulgarian levs at the rate applicable on the date of payment, and would 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 parties agreed that the payment would 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 4 February 2016.

Milan Blaško
Deputy Registrar

Erik Møse
President