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

FOURTH SECTION

DECISION

Application no. 38359/08
Tsvetan Iliev MLADENOV and Others
against Bulgaria

The European Court of Human Rights (Fourth Section), sitting on 6 May 2014 as a Committee composed of:

George Nicolaou, *President,*
Ledi Bianku,
Nona Tsotsoria, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 4 August 2008,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants are Bulgarian nationals. Their names and years of birth are set out in the appendix. The applicants were represented by Mr M. Ekimdzhiev and Ms G. Chernicherska, lawyers practicing in Plovdiv.

The Bulgarian Government ("the Government") were represented by their Agent, Ms Y. Stoyanova, of the Ministry of Justice.

The applicants complained under Article 1 of Protocol No. 1 of unjustified delays in the process of restitution of agricultural land. In 2002 the relevant bodies held that the applicants were entitled to compensation in lieu of the restitution in kind of a plot of land of 2,300 square metres. By 2012, when the parties informed the Court of the latest developments in the case, the applicants had not yet received anything.

The application was communicated to the respondent Government on 12 September 2013.

On 11 November 2013 and 7 March 2014 the Court received friendly settlement declarations signed by the parties under which 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 jointly 3,500 euros to cover any and all damage as well as costs and expenses. That amount would be converted into Bulgarian levs at the rate applicable on the date of payment, and would be free of any taxes that might be chargeable to the applicants. It would be payable within three months from the date of notification of the present decision of 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 this 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 under Article 37 § 1 in fine. 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.

Fatoş Aracı
Deputy Registrar

George Nicolaou
President

Appendix

1. Tsvetan Iliev MLADENOV, born in 1929
2. Boyan Stoychev ILIEV, born in 1951
3. Iliyan Stoychev ILIEV, born in 1959
4. Lyuben Tsvetanov LAZAROV, born in 1944