

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

SECOND SECTION

DECISION

Application no. 27559/06
Zeki MORANER and İzzettin MORANER
against Turkey

The European Court of Human Rights (Second Section), sitting on 13 December 2011 as a Chamber composed of:
Isabelle Berro-Lefèvre, *President,*
Guido Raimondi,
Helen Keller, *judges,*
and Françoise Elens-Passos, *Deputy Section Registrar,*
Having regard to the above application lodged on 30 June 2006,
Having regard to the partial decision of 4 May 2010,
Having regard to the formal declarations accepting a friendly settlement of the case,
Having deliberated, decides as follows:

PROCEDURE

The applicants, Zeki Moraner and İzzettin Moraner, are Turkish nationals who were born in 1950 and 1961 respectively and live in Van. Their application was lodged on 30 June 2006. They were represented before the Court by Mr E. Bingöl, a lawyer practising in Van. The Turkish Government ("the Government") were represented by their Agent.

The applicants complained under Article 6 of the Convention about the length of criminal proceedings which ended on 23 January 2006.

On 8 November 2010 and 19 October 2011 the Court received friendly settlement declarations signed by the parties under which the applicants

agreed to waive any further claims against Turkey in respect of the facts giving rise to this application against an undertaking by the Government to pay them 3,600 (three thousand six hundred) euros each to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which would be converted into Turkish liras 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 pursuant to Article 37 § 1 of the European Convention on Human Rights. 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 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 (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 remainder of the application out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Isabelle Berro-Lefèvre
President