

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

FIFTH SECTION

DECISION

Application no. 11524/06
by Alla Lukyanovna MURAYENKO
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 11 January 2011 as a Committee composed of:

Mark Villiger, *President,*
Isabelle Berro-Lefèvre,
Ganna Yudkivska, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 28 February 2006,

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

Having deliberated, decides as follows:

PROCEDURE

The application was lodged by Ms Alla Lukyanovna Murayenko, a Ukrainian national who was born in 1946 and lives in Novovoskresenskoye. The Ukrainian Government ("the Government") were represented by their Agent, Mr Y. Zaytsev, of the Ministry of Justice.

The applicant mainly complained under Article 6 § 1 of the Convention about the length of the court proceedings in her civil case. She further raised other complaints under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1.

On 4 and 29 March 2010 respectively, the applicant and the Government submitted to the Court friendly settlement declarations under which the applicant 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 her EUR 2,200 to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which would be converted into Ukrainian hryvnias at the rate applicable on the date of payment, and would be free of any taxes that might be applicable. The sum 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 public policy 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	Mark Villiger President