

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

SECOND SECTION

DECISION

Application no. 1769/08
Aziz NARİN
against Turkey

The European Court of Human Rights (Second Section), sitting on 20 March 2012 as a Committee 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 3 January 2008,

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

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr Aziz Narin, is a Turkish national who was born in 1951 and lives in Ankara. He was represented before the Court by Ms Z. Aşçıoğlu, a lawyer practising in Ankara. The Turkish Government ("the Government") were represented by their Agent.

On 1 March 2010 the Court decided to communicate the applicant's complaint under Article 6 § 1 of the Convention concerning the length of civil proceedings, which started on 24 October 1996 and ended on 11 February 2009, to the Government.

On 6 September 2011 and 5 January 2012 the Court received friendly settlement declarations signed by the parties under which the applicant 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 him EUR 10,500 (ten thousand and five hundred euros) 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 application out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Isabelle Berro-Lefèvre
President