

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

# THIRD SECTION

# DECISION

Application no. 12694/22
Nikolay Vasilev NIKOLOV
against Bulgaria

The European Court of Human Rights (Third Section), sitting on 18 June 2026 as a Committee composed of:

Úna Ní Raifeartaigh*, President*,
Canòlic Mingorance Cairat,
Vasilka Sancin*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application against the Republic of Bulgaria lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 2 March 2022,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Nikolay Vasilev Nikolov, was born in 1965. He was represented before the Court by Ms M. Kostova, a lawyer practising in Sliven.

The applicant's complaints under Article 6 § 1 of the Convention concerning the allegedly insufficient reasoning of domestic judgments were communicated to the Bulgarian Government ("the Government").

## THE LAW

On 24 April 2026 the Government informed the Court that they proposed to make a unilateral declaration with a view to resolving the issues raised by the case. They further requested the Court to strike out the application in accordance with Article 37 § 1 (c) of the Convention.

The Government acknowledged the violation of Article 6 § 1 of the Convention, stemming from the failure of the national courts to examine a

substantial argument raised by the applicant in domestic civil proceedings. They offered to pay the applicant 3,700 euros (EUR) to cover any pecuniary and non-pecuniary damage and costs and expenses, plus any tax that might be chargeable to him. They stated that the amount above would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned 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. Such payment will constitute the final resolution of the case.

The applicant was sent the terms of the Government's unilateral declaration. He expressed his dissatisfaction with the amount proposed.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

> "... for any other reason established by the Court, it is no longer justified to continue the examination of the application".

Thus, it may strike out applications under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicant wishes the examination of the case to be continued (see, in particular, *Tahsin Acar v. Turkey* (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established clear and extensive case-law concerning complaints similar to the one in the case, namely concerning failures of domestic courts to provide adequate reasons for their decisions (see, for example, *Ruiz Torija v. Spain*, 9 December 1994, Series A no. 303-A; *Yanakiev v. Bulgaria*, no. 40476/98, 10 August 2006; *Petrović and Others v. Montenegro*, no. 18116/15, 17 July 2018; *Čivinskaitė v. Lithuania*, no. 21218/12, 15 September 2020).

Noting the admissions contained in the Government's declaration as well as the amount of compensation proposed – which is consistent with the amounts awarded in similar cases – the Court considers that it is no longer justified to continue the examination of the application (Article 37 § 1 (c)). In particular, in the absence of any arguments from the applicant to the contrary, the Court has no reasons to consider that the compensation offered by the Government constitutes inadequate or otherwise unreasonable redress for the violation of his Convention rights (see *Ryabkin and Volokitin v. Russia* (dec.), nos. 52166/08 and 8526/09, §§ 49-50, 28 June 2016, *Igranov and Others v. Russia*, nos. 42399/13 and 8 others, § 24, 20 March 2018, and, for a similar approach, *Antovski and Others v. North Macedonia* (dec.) [Committee], no. 68160/17, 8 December 2022).

In the light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does

not require it to continue the examination of the application (Article 37 § 1 *in fine*).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declaration, the application may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

*Takes note* of the terms of the respondent Government's declaration and of the arrangements for ensuring compliance with the undertakings referred to therein;

*Decides* to strike the application out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

Done in English and notified in writing on 9 July 2026.

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| Viktoriya Maradudina<br>Acting Deputy Registrar | Úna Ní Raifeartaigh<br>President |