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

FIFTH SECTION

DECISION

Application no. 71832/11
Zinaida Ruseva PETROVA
against Bulgaria

The European Court of Human Rights (Fifth Section), sitting on 3 January 2017 as a Committee composed of:

Erik Møse, *President,*
Yonko Grozev,
Mārtiņš Mits, *judges,*

and Anne-Marie Dougin, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 8 November 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Zinaida Ruseva Petrova, is a Bulgarian national, who was born in 1966 and lives in Varna. She was represented before the Court by Mr V. Bachvarov, a lawyer practising in Varna.

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

The applicant complained, relying on Article 1 of Protocol No. 1 and Articles 8 and 13 of the Convention, of unjustified delays and prolonged uncertainty in the process of restitution of agricultural land. On 22 June 2015 the application was communicated to the respondent Government.

On 18 August 2015 and 12 October 2016 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Bulgaria in respect of the facts giving rise to this application against an undertaking by the Government to pay her 3,000 (three thousand) euros to cover any pecuniary and

non-pecuniary damage as well as costs and expenses. This sum, to be converted into Bulgarian levs at the rate applicable on the date of payment and free of any taxes that may be chargeable to the applicant, would be payable within three months from the date of notification of the decision taken by the Court to strike the case out of its list of cases. In the event of failure to pay the above 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. 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 in accordance with Article 39 of the Convention.

Done in English and notified in writing on 26 January 2017.

Anne-Marie Dougin	Erik Møse
Acting Deputy Registrar	President