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

FIRST SECTION

DECISION

Application no. 40881/12
António de Carvalho PINA E MOURA
against Portugal

The European Court of Human Rights (First Section), sitting on 4 march 2014 as a Committee composed of:

Mirjana Lazarova Trajkovska, *President,*
Paulo Pinto de Albuquerque,
Ksenija Turković, *judges,*
and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 22 June 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr António de Carvalho Pina e Moura, is a Portuguese national, who was born in 1946 and lives in Batalha (Portugal). He was represented before the Court by Mr J. J. Ferreira Alves, a lawyer practising in Matosinhos (Portugal).

The Portuguese Government ("the Government") were represented by their Agent, M. F. da Graça Carvalho, Deputy Attorney-General.

The applicant complained under Article 6 § 1 of the Convention about the length of administrative proceedings to which he is a party.

On 13 November 2013 and 10 January 2014 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Portugal in respect of the facts giving rise to this application against an undertaking by the Government to pay him EUR 7,500 (seven thousand and five hundred euros) to cover any non-pecuniary damage as well as costs and expenses.

It will be payable within three months from the date of notification of the decision taken by the Court. 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 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 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. 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.

André Wampach
Deputy Registrar

Mirjana Lazarova Trajkovska
President