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

FIFTH SECTION

DECISION

Application no. 286/16
Mykhaylo Mykhaylovych PUDENKOV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 23 November 2017 as a Committee composed of:

André Potocki, *President,*
Síofra O'Leary,
Mārtiņš Mits, *judges,*

and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on the date indicated in the appended table,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The relevant details of the application are set out in the appended table.

The applicant's complaints under Articles 6 § 1 and 13 of the Convention concerning the excessive length of civil proceedings and the lack of any effective remedy in domestic law were communicated to the Ukrainian Government ("the Government").

The Court received 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, subject to an undertaking by the Government to pay him the amount detailed in the appended table. This amount will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will 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 undertake 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 the Protocols thereto 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 14 December 2017.

Liv Tigerstedt
Acting Deputy Registrar

André Potocki
President

APPENDIX

Application raising complaints under Article 6 § 1 and Article 13 of the Convention
(excessive length of civil proceedings and lack of any effective remedy in domestic law)

Application no. Date of introduction	Applicant name Date of birth	Date of receipt of Government declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[i]
286/16 09/12/2015	**Mykhaylo Mykhaylovych Pudenkov** 13/07/1948	08/09/2017	11/05/2016	3,000

[i] Plus any tax that may be chargeable to the applicant.