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

FIRST SECTION

DECISION

Application no. 21117/14
Manuel João SOARES
against Portugal

The European Court of Human Rights (First Section), sitting on 2 June 2015 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Dmitry Dedov, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 3 March 2014,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Manuel João Soares, is a Portuguese national, who was born in 1923 and lives in Odemira. He was represented before the Court by Mr R. Sá Fernandes, a lawyer practising in Lisbon.

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

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

On 3 February and 31 March 2015 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 6,070 (six thousand and seventy euros) to cover any non-pecuniary damage as well as costs and expenses, which will be free of any taxes that may be applicable. This sum 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.

Done in English and notified in writing on 25 June 2015.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President