

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

FIFTH SECTION

DECISION

Application no. 35131/08
by Georgiy Vasilyevich STANCHEV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 12 April 2011 as a Committee composed of:

Boštjan M. Zupančič, *President,*
Ganna Yudkivska,
Angelika Nußberger, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 July 2008,

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

Having deliberated, decides as follows:

THE FACTS

The application was lodged by Mr Georgiy Vasilyevich Stanchev, a Bulgarian national who was born in 1979 and lives in Melitopol. The Ukrainian Government were represented by their Agent, Mrs Valeria Lutkovska.

The applicant complained about the length of the criminal proceedings in which he participated as a civil party.

On 17 December 2010 and 6 January 2011 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Ukraine in respect of the facts giving rise to this application against an undertaking by the Government to pay him 1,300 euros to cover any pecuniary and non-pecuniary damage as

well as costs and expenses, which would be converted into national currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It will be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. 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 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 (Article 37 § 1 *in fine* of the Convention).

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.

Stephen Phillips
Deputy Registrar

Boštjan M. Zupančič
President