

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

FIRST SECTION

DECISION

Applications nos. 70265/12 and 70283/12
Stjepan TRUPELJAK against Croatia
and Drago TRUPELJAK against Croatia

The European Court of Human Rights (First Section), sitting on 2 July 2013 as a Committee composed of:

Elisabeth Steiner, *President,*
Mirjana Lazarova Trajkovska,
Ksenija Turković, *judges,*
and André Wampach, *Deputy Section Registrar,*

Having regard to the above applications lodged on 14 September 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Stjepan Trupeljak and Mr Drago Trupeljak, are Croatian nationals, who were born in 1938 and 1949 respectively, and live in Zagreb. They were represented before the Court by Mr D. Vučevac, a lawyer practising in Zagreb.

The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

The applicants complained under Article 6 § 1 of the Convention about the length of civil proceedings and under Article 13 about the ineffectiveness of a domestic remedy in that respect.

On 22 April 2013 and 17 May 2013 the Court received friendly settlement declarations signed by the parties under which the applicants

agreed to waive any further claims against Croatia in respect of the facts giving rise to these applications against an undertaking by the Government to pay them 2,050 euros each to cover any non-pecuniary damage as well as costs and expenses, which would be converted into Croatian kunas at the rate applicable on the date of payment, and would be free of any taxes that may be applicable. It would 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 would constitute the final resolution of the cases.

THE LAW

Having regard to the similarity of the issues under the Convention in the above cases, the Court decides to join the applications and examine them in a single decision.

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 applications. In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications,

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

André Wampach	Elisabeth Steiner
Deputy Registrar	President