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

SECOND SECTION

DECISION

Application no. 8865/10
Ümit ULUŞAN
against Turkey
(see appended table)

The European Court of Human Rights (Second Section), sitting on 4 February 2021 as a Committee composed of:

Branko Lubarda, *President,*
Carlo Ranzoni,
Pauliine Koskelo, *judges,*
and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 19 January 2010,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Ms S. Epçeli Arslan, a lawyer practising in Istanbul.

The applicant's complaints under Article 6 §§ 1 and 3 of the Convention concerning the alleged unfairness of the criminal proceedings against him on account of (i) his inability to confront co-accused N.G.; (ii) the Court of Cassation's failure to hold a public hearing; and (iii) the breach of the principle of immediacy owing to the trial court's alleged failure to hear N.G. in person were communicated to the Turkish Government ("the Government").

The Court received the friendly-settlement declaration, signed by the parties, under which the applicant agreed to waive any further claims against Turkey 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 before the European Court of Human Rights.

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 25 February 2021.

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Liv Tigerstedt Acting Deputy Registrar	Branko Lubarda President

APPENDIX

Application raising complaints under Article 6 §§ 1 and 3 of the Convention (Unfairness of the criminal proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses (in euros)[1]
8865/10 19/01/2010	**Ümit ULUŞAN** 1989	04/01/2021	25/06/2020	2,500

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