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

SECOND SECTION

DECISION

Application no. 11506/22
Özgün ÜNAL
against Türkiye
(see appended table)

The European Court of Human Rights (Second Section), sitting on 11 July 2024 as a Committee composed of:

Diana Sârcu*, President*,
Davor Derenčinović,
Gediminas Sagatys*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 25 February 2022,

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 Ö. Teke, a lawyer practising in Ankara.

The applicant's complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention in conjunction with Article 14 of the Convention, concerning the alleged conflicting case-law of the administrative courts relating to the date from which the difference in salary and other pecuniary elements were to be calculated in respect of her delayed appointment to the post of labour auditor, were communicated to the Turkish Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against Türkiye in respect of the facts giving rise to this application, subject to an undertaking by the Government to grant her the right to request the reopening of the administrative court proceedings before the national courts on the basis of Article 53 § 1(1) of the Code of Administrative Procedure, as amended by

Law no. 7145 of 31 July 2018, and to pay her 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 5 September 2024.

Viktoriya Maradudina	Diana Sârcu
Acting Deputy Registrar	President

APPENDIX

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for non-pecuniary damage (in euros)[1]
11506/22 25/02/2022	**Özgün ÜNAL** 1980	Özge TEKE Ankara	25/04/2024	26/02/2024	1,650

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