

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

FIRST SECTION

DECISION

Application no. 64995/11
Milka UŠAJ
against Croatia

The European Court of Human Rights (First Section), sitting on 2 July 2013 as a Committee composed of:
Elisabeth Steiner, *President,*
Linos-Alexandre Sicilianos,
Ksenija Turković, *judges,*
and André Wampach, *Deputy Section Registrar,*
Having regard to the above application lodged on 12 September 2011,
Having regard to the formal declarations accepting a friendly settlement of the case,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Milka Ušaj, is a Croatian national, who was born in 1947 and lives in Split.

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

The applicant complained primarily 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 19 April 2013 and 17 May 2013 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Croatia in respect of the facts giving rise to this application against an undertaking by the Government to

pay her 5,100 euros 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 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.

André Wampach Deputy Registrar	Elisabeth Steiner President