

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

FIFTH SECTION

DECISION

Application no. 43784/08
Ignac VUČKO
against Slovenia

The European Court of Human Rights (Fifth Section), sitting on 12 June 2012 as a Committee composed of:

Ann Power-Forde, *President,*
Boštjan M. Zupančič,
Angelika Nußberger, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 28 December 2006,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Ignac Vučko, is a Slovenian national, who was born in 1972 and lives in Lendava. He is represented before the Court by Mr L. Horvat and Mr J. Horvat, lawyers practising in Murska Sobota.

The Slovenian Government ("the Government") were represented by their Agent.

The applicant was a party to proceedings which were finally resolved before 1 January 2007, when the 2006 Act on the Protection of the Right to a Trial without Undue Delay ("the 2006 Act") became operational and have continued before the Supreme Court. He complained under Article 6 § 1 of the Convention about the excessive length of proceedings and under

Article 13 of the Convention about the lack of an effective domestic remedy in that regard.

On 25 October 2011 the President of the Section decided to communicate the application to the Government. The Court notes that subsequently the applicant received the State Attorney's Office's settlement proposal under section 25 of the 2006 Act acknowledging a violation of the right to a trial within a reasonable time and offering redress for non-pecuniary damage.

As a result, the Registry invited the applicant to confirm whether his case was resolved and to inform the Court whether he wishes to withdraw the application. No reply was received to the Registry's letter.

Subsequently, by a letter dated 24 February 2012, sent by registered post, the applicant was again invited to submit the information requested. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The applicant received this letter on 8 March 2012. However, no response has been received.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

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

Ann Power-Forde
President