

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

SECOND SECTION

DECISION

Application no. 59725/09
István GÁSPÁR and Istvánné GÁSPÁR
against Hungary

The European Court of Human Rights (Second Section), sitting on 22 May 2012 as a Committee composed of:

Dragoljub Popović, *President,*
András Sajó,
Paulo Pinto de Albuquerque, *judges,*
and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 3 November 2009,

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

Having deliberated, decides as follows:

PROCEDURE

The applicants, Mr István Gáspár and Ms Istvánné Gáspár, are Hungarian nationals who live in Szigetszentmiklós. They were represented before the Court by Mr B. Kővári, a lawyer practising in Budapest.

The Hungarian Government ("the Government") were represented by Mr L. Höltzl, Agent, Ministry of Public Administration and Justice.

The applicants complained under Article 6 § 1 of the Convention about the length of civil proceedings to which they were parties.

On 14 February and 5 April 2012 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Hungary in respect of the facts giving rise to this application against an undertaking by the Government to pay them

jointly EUR 20,800 (twenty thousand eight hundred euros) to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which would be converted into Hungarian forints at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. This amount will 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 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.

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 pursuant to Article 39 of the Convention.

Françoise Elens-Passos
Deputy Registrar

Dragoljub Popović
President