

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

SECOND SECTION

DECISION

Application no. 40704/12
Csaba HARCZ and Erika HARCZ
against Hungary

The European Court of Human Rights (Second Section), sitting on 12 February 2013 as a Committee composed of:

Peer Lorenzen, *President,*
András Sajó,
Nebojša Vučinić, *judges,*
and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 22 June 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Csaba Harcz and Ms Erika Harcz, are Hungarian nationals, who were born in 1976 and 1965 respectively and live in Budapest. They were represented before the Court by Mr A. Cech, a lawyer practising in Budapest.

The Hungarian Government ("the Government") were represented by Mr Z. Tallódi, 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 29 November 2012 and 14 January 2013 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 the applicants jointly EUR 7,800 (seven thousand eight hundred euros) and a further EUR 3,200 (three thousand two hundred euros) each to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will 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. These sums 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 these sums within the said three-month period, the Government undertook to pay simple interest on them, 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.

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.

Françoise Elens-Passos
Deputy Registrar

Peer Lorenzen
President