

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

FIRST SECTION

DECISION

Application no. 67195/10
Renate HORVATH
against Austria

The European Court of Human Rights (First Section), sitting on 1st July 2014 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Erik Møse, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 10 November 2010,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Renate Horvath, is an Austrian national, who was born in 1946 and lives in Ybbs. She was represented before the Court by Mr R. Mutenthaler, a lawyer practising in Ybbs.

The Austrian Government ("the Government") were represented by their Agent, Ambassador H. Tichy, Head of the International Law Department at the Federal Ministry of European and International Affairs.

The applicant complained under Article 6 of the Convention about the length of the criminal proceedings.

On 11 March 2014 and 28 April 2014 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Austria in respect of the facts giving rise to this application against an undertaking by the Government to pay her 10,000 euros to cover any non-pecuniary damage as well as costs and expenses, which will be free of any taxes that may be applicable. It 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 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.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President