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

FOURTH SECTION

DECISION

Application no. 75775/11
Miklós János JÁMBOR
against Hungary

The European Court of Human Rights (Fourth Section), sitting on 19 April 2016 as a Committee composed of:

Boštjan M. Zupančič, *President,*
Paulo Pinto de Albuquerque,
Iulia Antoanella Motoc, *judges*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 5 December 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The case originated in an application brought by Mr Miklós János Jámbor, a Hungarian national, who was born in 1956 and lived in Kisvárda.

On 7 August 2015 the Registry was informed that the original applicant had died on 30 January 2012. His widow, Ms Miklós Jánosné Jámbor, requested to continue the application in his stead. As regards her standing, the Court points out that in a number of cases in which an applicant died in the course of the proceedings, it has taken into account the statements of the applicant's heirs or of close family members expressing the wish to pursue the proceedings before the Court (see *Karner v. Austria*, no. 40016/98, § 22, ECHR 2003-IX, with further references). It sees no reason to reach a different conclusion in the present case and therefore accepts that the applicant's widow can pursue the application initially brought by her late husband. It is therefore the widow who is to be regarded as having applicant

status (see, *mutatis mutandis*, *Dalban v. Romania* [GC], no. 28114/95, § 1, ECHR 1999‑VI)

The Hungarian Government ("the Government") were represented by Mr Z. Tallódi, Agent, Ministry of Justice.

The application concerned a complaint under Article 6 of the Convention about the length of labour law proceedings to which the original applicant had been a party.

On 7 August 2015 and 9 September 2015 the Court received friendly settlement declarations signed by the parties under which the original applicant's widow 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 her 3,900 euros 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. 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.

Done in English and notified in writing on 12 May 2016.

Fatoş Aracı
Deputy Registrar

Boštjan M. Zupančič
President