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

THIRD SECTION

DECISION

Application no. 18333/13
Michal MARČIŠIN
against Slovakia

The European Court of Human Rights (Third Section), sitting on 20 September 2016 as a Committee composed of:

Helen Keller, *President,*
Pere Pastor Vilanova,
Alena Poláčková, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 4 March 2013,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Michal Marčišin, was a Slovak national, who was born in 1956 and lived in Hradec Králové. He was represented before the Court by Mrs I. Rajtáková, a lawyer practising in Košice.

The applicant passed away on 11 April 2015 and his heirs Ms Monika Marčišinová, Mr Marcel Marčišin and Mr Michal Marčišin pursued the application in his stead.

The Government of the Slovak Republic ("the Government") were represented by their Agent, Ms M. Pirošíková.

The applicant complained under Article 6 § 1 of the Convention about the length of his civil proceedings.

On 13 and 21 April 2016 the Court received friendly settlement declarations signed by the parties under which the applicant's heirs agreed to waive any further claims against Slovakia in respect of the facts giving rise to this application against an undertaking by the Government to pay

them 3,700 euros jointly to cover any non-pecuniary damage as well as costs and expenses. This sum will be 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 13 October 2016.

Fatoş Aracı
Deputy Registrar

Helen Keller
President