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

FOURTH SECTION

DECISION

Application no. 15499/17
Elemer MEZEI
against Romania

The European Court of Human Rights (Fourth Section), sitting on 19 June 2025 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
András Jakab*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 22 April 2017,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's heirs' reply to this declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The original applicant's details and those of his heirs are set out in the appended table.

The applicant was represented by Mr V. Biro, a lawyer practising in Satu Mare.

The applicant's complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government ("the Government").

On 25 August 2022 the application was struck out of the list of cases based on a unilateral declaration issued by the Government. On 3 October 2024 the Court decided to restore the case based on information that the applicant had died in 2020.

Following the restoration of the case, the Government was invited to submit a new unilateral declaration in the name of the applicant's heirs.

On 23 January 2025 the Government submitted a declaration with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the application.

The Government acknowledged the inadequate conditions of detention. They offered to pay the applicant's heirs the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amount would be converted into the currency of the respondent State at the rate applicable on the date of payment and would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned 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 applicant's heirs informed the Court that they agreed to the terms of the declaration.

THE LAW

The Court finds that, following the applicant's heirs' express agreement to the terms of the declaration made by the Government, the case should be treated as a friendly settlement between the parties.

It therefore 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 the Protocols thereto and finds no reasons to justify the 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 10 July 2025.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

Application raising complaints under Article 3 of the Convention (inadequate conditions of detention)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of the applicant's heirs' acceptance	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
15499/17 22/04/2017	**Elemer MEZEI** Born in 1975 Died in 2020 **Heirs:** **David-Darius MEZEI** Born in 2009 **Evelin-Elisabeta-Krisztina MEZEI** Born in 2007	Vasile Rareş Biro Satu Mare	23/01/2025	25/03/2025	2,700

[1] Plus any tax that may be chargeable.