

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

THIRD SECTION

DECISION

Application no. 59715/12
Juraj TÖZSÉR and Gabriela TÖZSÉROVÁ
against Slovakia

The European Court of Human Rights (Third Section), sitting on 19 February 2013 as a Committee composed of:

Luis López Guerra, *President,*
Ján Šikuta,
Nona Tsotsoria, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 10 September 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 Juraj Tözsér and Mrs Gabriela Tözsérová, are Slovak nationals, who were born in 1962 and in 1966 respectively and live in Košice.

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

The applicants complained under Article 6 § 1 of the Convention about the length of criminal proceedings before the Košice I District Court registered under no. 7T 117/2005.

On 17 December 2012 and 17 January 2013 the Court received friendly settlement declarations signed by the parties under which the applicants 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 jointly to the applicants 3,300 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses. This sum will be free of any taxes that may be applicable and 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.

Marialena Tsirli
Deputy Registrar

Luis López Guerra
President