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

SECOND SECTION

DECISION

Application no. 19696/13
Zoltán ZAKÁR
against Hungary

The European Court of Human Rights (Second Section), sitting on 4 March 2014 as a Committee composed of:

Helen Keller, *President,*
András Sajó,
Egidijus Kūris, *judges,*
and Stanley Naismith, *Section Registrar,*

Having regard to the above application lodged on 12 March 2013,

Having regard to the observations submitted by the respondent Government and those submitted in reply by the applicant's,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Zoltán Zakár, is a Hungarian national, who was born in 1956 and lives in Budapest.

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

The circumstances of the case

The facts of the case, as submitted by the parties, may be summarised as follows.

On 25 August 2009 the applicant brought an action against the social security authorities.

On 12 July 2012 the Budapest Labour Court gave final judgment on the applicant's disability pension. This decision was served on 25 July 2012.

On 6 September 2012 the court rectified *ex officio* a numerical mistake concerning the fees of the experts. Those fees were to be borne in any event by the State.

COMPLAINTS

The applicant complained under numerous provisions of the Convention about the length and the outcome of the proceedings.

THE LAW

The applicant submitted that the court had reached an erroneous conclusion resulting in a loss of pension entitlements and that the proceedings had lasted an unreasonably long time. He relied on various Articles of the Convention.

The Government submitted that the application had been introduced out of time.

The Court notes that the final domestic decision was served on the applicant on 25 July 2012. However, the application was filed only on 12 March 2013, that is, more than six months later. The court's subsequent decision concerned only a typing mistake which had no bearing whatsoever on the applicant's civil rights and obligations or the costs of the proceedings vis-à-vis him. This decision was therefore not able to interrupt the running of the six-month time-limit.

Moreover, the applicant's submissions do not disclose any appearance of a "continuing violation" (compare and contrast *Iacov Stanciu v. Romania*, no. 35972/05, §§ 136 to 138, 24 July 2012); the Court reiterates in this connection that the concept of a "continuing situation" refers to a state of affairs in which there are continuous activities by or on the part of the State which render the applicant a victim (see *Posti and Rahko v. Finland*, no. 27824/95, § 39, ECHR 2002-VII). Complaints which have as their source specific events which occurred on identifiable dates cannot be construed as referring to a continuing situation (see *Camberrow MM5 AD v. Bulgaria*, (dec.), no. 50357/99, 1 April 2004).

It follows that the application must be rejected, pursuant to Article 35 §§ 1 and 4 of the Convention.

For these reasons, the Court unanimously

Declares the application inadmissible.

Stanley Naismith
Registrar

Helen Keller
President