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

THIRD SECTION

DECISION

Application no. 4218/20
A.Z.
against Greece
(see appended table)

The European Court of Human Rights (Third Section), sitting on 21 May 2026 as a Committee composed of:

Diana Kovatcheva*, President*,
Canòlic Mingorance Cairat,
Vasilka Sancin*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application against the Hellenic Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 10 January 2020,

Having regard to the decision not to have the applicant's name disclosed,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Mr V. Chirdaris, a lawyer practising in Athens.

The applicant's complaint under Article 5 § 1 (e) of the Convention concerning the unlawfulness of the applicant's involuntary confinement in a psychiatric hospital was communicated to the Greek Government ("the Government").

THE LAW

After unsuccessful friendly-settlement negotiations, the Government informed the Court that they proposed to make a unilateral declaration with a

view to resolving the issues raised by this complaint. They further requested the Court to strike out the application in accordance with Article 37 of the Convention.

The Government acknowledged that the involuntary confinement of the applicant in a psychiatric hospital was incompatible with the requirements of Article 5 § 1 (e) of the Convention, because the procedure described in national legislation had not been observed. They offered to pay the applicant the amounts 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 amounts would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertook to pay simple interest on them, 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 was sent the terms of the Government's unilateral declaration several weeks before the date of this decision. By a letter of 8 April 2026, the applicant indicated that he was not satisfied with the terms of the unilateral declaration, as he considered that the amounts indicated were neither reasonable nor adequate to redress the violation of his rights under the Convention and were not similar to the amounts awarded in similar circumstances by the Court.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

> "... for any other reason established by the Court, it is no longer justified to continue the examination of the application".

Thus, it may strike out an application under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicant wishes the examination of the case to be continued (see, in particular, the *Tahsin Acar v. Turkey* judgment (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established clear and extensive case-law concerning complaints raised under Article 5 § 1 (e) of the Convention (see, for example, *N. v. Romania*, no. 59152/08, §§ 141-47, 28 November 2017, *M.S. v. Croatia* (no. 2), no. 75450/12, §§ 139-47, 19 February 2015, *Venios v. Greece*, no. 33055/08, 5 July 2011, and *Karamanof v. Greece*, no. 46372/09, 26 July 2011).

Noting the admissions contained in the Government's declaration as well as the amount of compensation proposed – which is consistent with the amounts awarded in similar cases – the Court considers that it is no longer justified to continue the examination of the application (Article 37 § 1 (c)).

In the light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application (Article 37 § 1 *in fine*).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declaration, the application may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Takes note of the terms of the respondent Government's declaration and of the arrangements for ensuring compliance with the undertakings referred to therein;

Decides to strike the application out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

Done in English and notified in writing on 11 June 2026.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

Application raising complaints under Article 5 § 1 of the Convention
(Lawful detention/unsound mind)

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 applicant's comments	Amount awarded for non-pecuniary damage (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
4218/20 10/01/2020	**A. Z.** 1983	Chirdaris Vassilis Athens	03/03/2026	08/04/2026	11,000	1,000

[1] Plus any tax that may be chargeable to the applicant
[2] Plus any tax that may be chargeable to the applicant