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

SECOND SECTION

DECISION

Application no. 50897/21
Abdurahman ASAN
against North Macedonia
(see appended table)

The European Court of Human Rights (Second Section), sitting on 7 March 2024 as a Committee composed of:

Frédéric Krenc*, President*,
Diana Sârcu,
Davor Derenčinović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 8 October 2021,

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

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 A. Godjo, a lawyer practising in Ohrid.

The applicant's complaints under Article 5 of the Convention that his detention had been ordered *in abstracto* and without sufficient reasoning; that the detention review proceedings were not adversarial and that he was not heard in those proceedings were communicated to the Government of North Macedonia ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against North Macedonia in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay him the amounts detailed in the appended table. This amount will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will 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 undertake 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 the Protocols thereto 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 28 March 2024.

Viktoriya Maradudina	Frédéric Krenc
Acting Deputy Registrar	President

APPENDIX

Application raising complaints under Article 5 of the Convention
(unlawful detention, lack of relevant and sufficient reasons for detention and absence of procedural guarantees in detention review proceedings)

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 declaration	Amount awarded for non-pecuniary damage and costs and expenses per applicant (in euros)[1]
50897/21 08/10/2021	**Abdurahman ASAN** 1974	Aleksandar Godjo Ohrid	15/01/2024	04/01/2024	5,500

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