

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

THIRD SECTION

DECISION

Application no. 1653/21
Muhammad ASHRAF against Greece
and 12 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 6 February 2025 as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases, and the applicants' replies to these declarations,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants and their representatives is set out in the appended table.

The applicants' complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Greek Government ("the Government"). Complaints based on the same facts were also communicated under Article 13 of the Convention.

The Government submitted declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications.

The Government acknowledged the inadequate conditions of detention. They further acknowledged that there has been a violation of Article 13 of the Convention. They offered to pay the applicants the amounts detailed in the appended table and invited the Court to strike the applications 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 cases.

The applicants informed the Court that they agreed to the terms of the declarations.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court finds that, following the applicants' express agreement to the terms of the declaration made by the Government, the cases 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 applications.

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

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 6 March 2025.

Viktoriya Maradudina Acting Deputy Registrar	Oddný Mjöll Arnardóttir President

APPENDIX

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

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage and costs and expenses per applicant (in euros)
1.	1653/21 31/12/2020	**Muhammad ASHRAF** 1994	Kazanas Alexandros-Timotheos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	19/12/2023	8,400
2.	6962/21 20/01/2021	**Temuri MDIVANI** 1976	Chatziioannou Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	02/01/2024	4,000
3.	6964/21 20/01/2021	**Volodymyr GALUSHKO** 1981	Chatziioannou Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	02/01/2024	11,000
4.	6966/21 20/01/2021	**Ioannis SOTIRIADIS** 1986	Chatziioannou Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	02/01/2024	22,700
5.	7705/21 18/01/2021	**Dan MAZURU** 1995	Chatziioannou Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	02/01/2024	5,300
6.	8547/21 26/01/2021	**Valeriane GOGISVANIDZE** 1973	Chatziioannou Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	08/12/2023	02/01/2024	7,200

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage and costs and expenses per applicant (in euros)
7.	42425/22 17/03/2021	**Ioannis GKATZOUNAS** 1978	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	20/09/2024	5,100
8.	42428/22 17/03/2021	**Hamid Reza HAMIDI** 1986	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	21/09/2024	2,100
9.	42431/22 17/03/2021	**Petros HRISTODOULOU** 1958	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention	16/09/2024	21/09/2024	5,500
10.	42433/22 17/03/2021	**Ioannis KARAGIANNIS** 1971	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	21/09/2024	4,500
11.	42442/22 17/03/2021	**Anastasios KIOUSIS** 1955	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	20/09/2024	2,000
12.	42448/22 17/03/2021	**Dimitrios KOURIS** 1958	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	20/09/2024	5,700
13.	42452/22 17/03/2021	**Alexandros KROMMYDAS** 1984	Tsitselikis Konstantinos Thessaloniki	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -	16/09/2024	20/09/2024	4,500