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

# THIRD SECTION

# DECISION

Application no. 4114/22
Aggelos DIMOU
against Greece
(see appended table)

The European Court of Human Rights (Third Section), sitting on 16 May 2024 as a Committee composed of:

Peeter Roosma*, President*,
Andreas Zünd,
Oddný Mjöll Arnardóttir*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 10 October 2019,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

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 K. Tsitselikis, a lawyer practising in Thessaloniki.

The applicant's 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 other provisions of the Convention.

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

The Government acknowledged the inadequate conditions of detention. They further acknowledged that the domestic authorities had violated the applicant's rights guaranteed by other provisions of the Convention. They offered to pay the applicant the amount 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 amount would 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 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 applicant informed the Court that he agreed to the terms of the declaration.

## THE LAW

The Court finds that, following the applicant's express agreement to the terms of the declaration made by the Government, the case 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 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 6 June 2024.

| | |
|---|---|
| Viktoriya Maradudina<br>Acting Deputy Registrar | Peeter Roosma<br>President |

# APPENDIX

## Application raising complaints under Article 3 of the Convention (inadequate conditions of detention)

| Application no.<br>Date of introduction | Applicant's name<br>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] |
|---|---|---|---|---|---|---|
| 4114/22<br>10/10/2019 | **Aggelos DIMOU**<br>1979 | Tsitselikis Konstantinos<br>Thessaloniki | Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention | 30/01/2023 | 11/09/2023 | 2,900 |

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