

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

FIFTH SECTION

DECISION

Application no. 64208/11
E.A.
against Germany

The European Court of Human Rights (Fifth Section), sitting on 10 July 2012 as a Committee composed of:

Boštjan M. Zupančič, *President,*
Ann Power-Forde,
Angelika Nußberger, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 17 October 2011,

Having regard to the interim measure indicated to the respondent Government under Rule 39 of the Rules of Court and the fact that this interim measure has been complied with,

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

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr E. A., is a Syrian national, who was born in 1978 and lives in Bochum. The President granted the applicant's request for his identity not to be disclosed to the public (Rule 47 § 3). He was represented before the Court by Mr Klaus Walliczek, a lawyer practising in Minden.

The German Government ("the Government") were represented by their Agent, Dr. Hans-Jörg Behrens from the Federal Ministry of Justice.

The applicant complained under Articles 3, 6, 8 and 13 of the Convention about his deportation from Germany to Italy under the Dublin II Regulation for the further evaluation of his asylum request.

On 17 February 2012 the Court received a friendly settlement declaration signed by the parties under which the applicant agreed to waive any further claims against Germany in respect of the facts giving rise to this application against an undertaking by the Government to pay him EUR 9,000 in settlement of all claims in connection with the application, in particular compensation for the applicant as well as costs and expenses. It will be payable within three months from the date of the decision taken by the Court to strike the application out of the list of cases pursuant to Article 37 § 1 of the European Convention on Human Rights, respectively Article 39 of the Convention in conjunction with Article 75 paragraph 4 and Article 43 paragraph 3 of the Rules of Court.

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 its Protocols and finds no reasons to justify a continued examination of the application (Article 37 § 1 *in fine* of the Convention).

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

Under these circumstances, the interim measure applied under Rule 39 of the Rules of Court also comes to an end.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Stephen Phillips Deputy Registrar	Boštjan M. Zupančič President