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

FIFTH SECTION

# DECISION

Application no. 2291/10
Levan GOGICHAISHVILI
against Georgia

The European Court of Human Rights (Fifth Section), sitting on 29 August 2017 as a Committee composed of:

Síofra O'Leary, *President,*
Nona Tsotsoria,
Lətif Hüseynov, *judges,*

and Anne-Marie Dougin, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 22 December 2009,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Levan Gogichaishvili, is a Georgian national, who was born in 1981 and lives in Tbilisi. He was represented before the Court by Mr M. Jangirashvili, a lawyer practising in Tbilisi.

The Georgian Government ("the Government") were represented by their Agent, Mr B. Dzamashvili, of the Ministry of Justice

The applicant complained under Article 6 § 2 of the Convention about the violation of his presumption of innocence on account of the preparation and dissemination of a video report and the case materials by the State authorities at an early stage of the criminal proceedings against him, and the incriminating statements made by the President of Georgia and a Member of Parliament at the time.

On 16 January 2017 the Court received a friendly settlement agreement, reached directly between the parties without the Court's involvement and duly signed by both of them. The applicant, a current Member of the Parliament, agreed to waive all his claims against Georgia in respect of the facts giving rise to his application against the Government's

acknowledgement of the violation of his rights under Article 6 § 2 of the Convention contained in the submitted agreement. The parties agreed that the friendly settlement agreement constituted a final resolution of the case.

## THE LAW

In the light of the above, the Court considers that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and its Protocols does not require it to continue the examination of the application under Article 37 § 1 *in fine*.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

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

Done in English and notified in writing on 21 September 2017.

Anne-Marie Dougin
Acting Deputy Registrar

Síofra O'Leary
President