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

FIRST SECTION

DECISION

Application no. 57401/09
Igor Alekseyevich GORSHENIN against Russia
and 4 other applications
(see list appended)

The European Court of Human Rights (First Section), sitting on 2 June 2015 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Dmitry Dedov, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above applications lodged on the dates listed in the appendix,

Having regard to the declarations submitted by the Government and the applicants' acceptance of their terms,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. A list of the applicants is set out in the appendix.

2. The Russian Government ("the Government") were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

3. The applicants complained, in particular, about the conditions of their detention in Russian penitentiary facilities.

4. By letters submitted on various dates, the Government informed the Court that they proposed to make a declaration with a view to resolving the issues raised by the applications. They acknowledged in particular that the applicants had been detained in the conditions which did not comply with the requirements of Article 3 of the Convention. The Government stated their readiness to pay the following amounts to the applicants as just satisfaction: 8,000 euros (EUR) to Mr Gorshenin, EUR 4,700 to

Mr Telyubayev, EUR 6,500 to Mr Kovalev, EUR 2,045 to Mr Lyakh, and EUR 5,000 to Mr Golyshev. The payment was to cover any pecuniary and non-pecuniary damage, together with any costs and expenses incurred, as well as any tax that may be chargeable. It would be effected within a period of three months from the date of notification of the decision taken by the Court. In the event of failure to pay within that period, the Government undertook to pay simple interest on it, from 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 would constitute the final resolution of the cases.

5. In their letters of different dates, the applicants informed the Court that they agreed to the terms of the Government's declarations.

THE LAW

6. Having regard to the similarity of the main issues under the Convention in the above cases, the Court decides to join the applications and examine them in a single decision.

7. The Court considers that the applicants' agreement to the terms of the declarations made by the Government shall be considered as a friendly settlement between the parties (see *Cēsnieks v. Latvia* (dec.), no. 9278/06, § 34, 6 March 2012, and *Bakal and Others v. Turkey* (dec.), no. 8243/08, 5 June 2012).

8. The Court 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 its Protocols and finds no reasons to justify a continued examination of the applications.

9. In view of the above, it is appropriate to strike the cases out of the list in accordance with Article 39 of the Convention.

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 25 June 2015.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President

APPENDIX

No	Application No	Lodged on	Applicant Date of birth Place of residence	Represented by
1.	57401/09	09/10/2009	**Igor Alekseyevich GORSHENIN** 05/02/1974 Novosibirsk	
2.	27719/12	11/03/2012	**Amangeldy Sebepovich TELYUBAYEV** 03/05/1977 Solikamsk	
3.	3542/13	26/12/2012	**Roman Sergeyevich KOVALEV** 15/09/1984 Bor	
4.	64372/13	03/11/2013	**Roman Gennadyevich LYAKH** 09/12/1971 Bor	Yelizaveta Mikhaylovna BEZHANOVA
5.	78928/13	23/11/2013	**Roman Petrovich GOLYSHEV** 11/07/1979 Tomsk	