

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

FIRST SECTION

DECISION

Application no. 6279/12
Josip JURIĆ
against Croatia

The European Court of Human Rights (First Section), sitting on 18 June 2013 as a Committee composed of:

Elisabeth Steiner, *President,*
Mirjana Lazarova Trajkovska,
Ksenija Turković, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 29 March 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Josip Jurić, is a Croatian national, who was born in 1975. He was represented before the Court by Ms A. Milković, a lawyer practising in Vinkovci.

2. The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

3. The applicant complained, under Articles 3 and 13 of the Convention, about the conditions of his detention in Lepoglava State Prison in that he had been placed in overcrowded cells and that the decision of the sentence-execution judge finding a violation of his rights in that respect could not have been enforced. He also complained about the lack of an appropriate medical treatment in Pula Prison and Lepoglava State Prison.

4. On 19 April 2013 and 24 April 2013 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Croatia in respect of the facts giving rise to this application against an undertaking by the Government to pay him 5,000 (five thousand) euros to cover any non-pecuniary damage as well as costs and expenses, which will be converted into Croatian kuna at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It will be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay this sum within the said 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 LAW

5. 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. 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.

André Wampach
Deputy Registrar

Elisabeth Steiner
President