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

FOURTH SECTION

# DECISION

Application no. 19149/11
Jacek KASPRZAK
against Poland

The European Court of Human Rights (Fourth Section), sitting on 26 August 2014 as a Committee composed of:

George Nicolaou, *President,*
Zdravka Kalaydjieva,
Faris Vehabović, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 October 2008,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Jacek Kasprzak, is a Polish national, who was born in 1966 and lives in Zgierz.

The Polish Government ("the Government") were represented by their Agent, Mrs J. Chrzanowska of the Ministry of Foreign Affairs.

The applicant complains that during his detention in Łódź Prison he was systematically strip-searched after visits with his family at the prison and after being taken to the court and that these searches were monitored *via* CCTV.

On 27 May and 3 June 2014 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Poland in respect of the facts giving rise to this application against an undertaking by the Government to pay him 3,000 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Polish zlotys 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

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.

Fatoş Aracı
Deputy Registrar

George Nicolaou
President