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

FIFTH SECTION

DECISION

Application no. 11062/22
Sergei KUDASHKIN
against the Czech Republic

The European Court of Human Rights (Fifth Section), sitting on 24 November 2022 as a Committee composed of:

Mārtiņš Mits*, President*,
María Elósegui,
Kateřina Šimáčková*, judges*,

and Martina Keller, *Deputy Section Registrar,*

Having regard to the above application lodged on 17 February 2022,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergei Kudashkin, is a Russian national, who was born in 1978 and lives in Kladno. He was represented before the Court by Mr V. Churcev, a lawyer practising in Prague.

The Czech Government ("the Government") were represented by their Agent, Mr V.A. Schorm, of the Ministry of Justice.

The applicant complained, under Article 5 § 1 (f) of the Convention, about his detention pending his extradition.

On 26 August and 30 September 2022 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against the Czech Republic in respect of the facts giving rise to this application against an undertaking by the Government to pay him 12,000 euros to cover any and all non-pecuniary damage as well as costs and expenses, which will be converted into Czech korunas 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 (Article 37 § 1 *in fine* of the Convention). 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 in accordance with Article 39 of the Convention.

Done in English and notified in writing on 15 December 2022.

Martina Keller Deputy Registrar	Mārtiņš Mits President