

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

THIRD SECTION

DECISION

Application no. 62579/15
Aleksandr Alekseyevich LIPKIN against Russia
and 7 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 21 September 2017 as a Committee composed of:

Luis López Guerra, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*

and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases, and the applicants' replies to these declarations,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Russian Government ("the Government"). In some of the applications, complaints based on the same facts were also communicated under other provisions of the Convention.

The Government submitted declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications.

The Government acknowledged the inadequate conditions of detention. In some of the applications, they further acknowledged that the domestic authorities had violated the applicants' rights guaranteed by other provisions

of the Convention. They offered to pay the applicants the amounts detailed in the appended table and invited the Court to strike the applications out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts would be converted into the currency of the respondent State at the rate applicable on the date of payment, and would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertook to pay simple interest on them, 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 cases.

The applicants informed the Court that they agreed to the terms of the declarations.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court finds that, following the applicants' express agreement to the terms of the declaration made by the Government, the cases should be treated as a friendly settlement between the parties.

It 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 the Protocols thereto and finds no reasons to justify the continued examination of the applications.

In view of the above, it is appropriate to strike the cases out of the list.

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 12 October 2017.

Liv Tigerstedt
Acting Deputy Registrar

Luis López Guerra
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[i]
1.	62579/15 24/05/2016	**Aleksandr Alekseyevich Lipkin** 21/08/1979	Korobeynikov Grigoriy Anatolyevich St Petersburg		16/01/2017	24/03/2017	8,000
2.	21040/16 23/06/2016	**Ivan Sergeyevich Gakhovich** 29/09/1980	Semenov Maksim Vladimirovich St Petersburg	Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	18/01/2017	08/06/2017	4,415
3.	30416/16 17/05/2016	**Konstantin Anatolyevich Khoroshilov** 29/07/1983		Art. 3 - inadequate conditions of detention during transport - van Kemerovo 2013 2016, Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	18/01/2017	31/03/2017	9,250
4.	30785/16 23/05/2016	**Viktor Viktorovich Onipenko** 05/11/1992	Anokhin Aleksandr Anatolyevich Astrakhan	Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	16/01/2017	07/03/2017	5,625
5.	42283/16 30/06/2016	**Aleksandr Valeryevich Samesov** 22/06/1987	Konyakov Andrey Pavlovich St Petersburg		18/01/2017	24/03/2017	12,625

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[i]
6.	63590/16 26/10/2016	**Akhmed Magomedovich Magamadov** 26/04/1996	Yegazaryants Vladimir Vladimirovich Astrakhan	Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	12/05/2017	17/07/2017	3,830
7.	64395/16 31/10/2016	**Abubakar Lom Aliyevich Magomedov** 17/03/1967	Vinogradov Aleksandr Vladimirovich Kostroma	Art. 3 - inadequate conditions of detention during transport - Complaints in relation to conditions of detention with overcrowding in transit cell and in train from 28/08/2016 till 29/09/2016, Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	12/05/2017	04/07/2017	6,000
8.	64398/16 31/10/2016	**Sergey Mikhaylovich Palamarchuk** 04/07/1976	Vinogradov Aleksandr Vladimirovich Kostroma	Art. 3 - inadequate conditions of detention during transport - Complaints in relation to conditions of detention with overcrowding in transit cells and in a train from 19/07/2016 till 28/07/2016, Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention	12/05/2017	18/07/2017	5,000

[i]. Plus any tax that may be chargeable to the applicants.