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

THIRD SECTION

DECISION

Application no. 41295/20
Fedor Maksimovich MILAYEV
against Russia

The European Court of Human Rights (Third Section), sitting on 1 July 2021 as a Committee composed of:

Darian Pavli, *President,*
Dmitry Dedov,
Peeter Roosma, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 18 September 2020,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Fedor Maksimovich Milayev, is a Russian national, who was born in 2015 and lives in the town of Ust – Labinsk, the Krasnodar Region. He was represented before the Court by Ms D. Latypova, a lawyer practising in the town of Chelyabinsk.

The Russian Government ("the Government") were represented by Mr M. Galperin, Representative of the Russian Federation to the European Court of Human Rights, and then by his successor in that office, Mr A. Fedorov.

The applicant complained under Articles 3, 6, 8 and 13 of the Convention about the non-enforcement of the judgment of the Pervomaiyskiy District Court of Krasnodar of 8 June 2020 granting him medical treatment with Spinraza at the expense of the State. The applicant also complained under Article 34 of the Convention about the authorities' failure to comply with the interim measures ordered by the Court in his case on 21 September 2020.

On 21 April 2021 the Government informed the Court that the applicant had been provided with Spinraza in December 2020. They also proposed to settle the case on the condition that he waives any further claims against Russia in respect of the facts giving rise to his application against an undertaking by the Government to pay him 10,000 euros to cover any and all pecuniary and non-pecuniary damage, as well as any and all costs and expenses. The applicant accepted the proposal on 28 April 2021.

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.

The Court observes that the compensation under the friendly settlement agreement should be converted into Russian roubles at the rate applicable on the date of payment and be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay the compensation within the said period, the Government should 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 will constitute the final resolution of the case.

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.

Done in English and notified in writing on 22 July 2021.

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Viktoriya Maradudina Acting Deputy Registrar	Darian Pavli President