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

FOURTH SECTION

DECISION

Application no. 15583/11
Giorgi OKROPIRIDZE
against Georgia

The European Court of Human Rights (Fourth Section), sitting on 27 May 2014 as a Committee composed of:

Päivi Hirvelä, *President,*
Nona Tsotsoria,
Faris Vehabović, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 1 March 2011,

Having regard to the friendly settlement proposal submitted by the respondent Government on 4 April 2014 and the applicant's acceptance of its terms,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Giorgi Okropiridze, is a Georgian national, who was born in 1989 and lives in Tbilisi. He was represented before the Court by Mr G. Rostomashvili, a lawyer practising in Tbilisi.

2. The Georgian Government ("the Government") were represented by their Agent, Mr L. Meskhoradze of the Ministry of Justice.

3. On 6 September 2011 the Court gave notice to the Government of the applicant's several complaints concerning mainly under Articles 3 and 13 of the Convention the alleged lack of investigation into the allegations of medical negligence on the part of a civil hospital, the alleged lack of adequate medical care in prison and poor conditions of detention. On 9 January 2012 the Court additionally communicated the applicant's complaint under Article 3 of the Convention concerning his alleged ill-treatment in prison and the failure to conduct an effective investigation in this regard.

4. On 4 April 2014 the Court received a friendly settlement proposal signed by the Government Agent, which reads as follows:

> "With due regard to the applicant's complaints under the Convention, in particular those communicated under Articles 3 and 13 raising the issues of medical treatment and the alleged ill-treatment in prison;
>
> Taking into account the fact that on the domestic level the applicant's allegations under Article 3 gave rise, although with some delay, to two different sets of criminal proceedings; that the investigation in both cases was conducted by an independent body, was effective, objective and adequate, which the applicant could not valuably deny before the Court; that investigation authorities guaranteed the applicant's participation in the process; that these proceedings, despite the fact of being lengthy within the meaning of Article 3, did show that the fact of contracting viral hepatitis C during detention was excluded and, contrary to the applicant's assertion, no fact of ill-treatment had taken place;
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> Underlying that even if the applicant's first PRC test was conducted with some delay, the results of his test were duly taken into account and, as a result of necessary medical treatment administered within the penitentiary the applicant has fully recovered from hepatitis C;
>
> Willing to secure the friendly settlement of the case, the Government undertake to ensure Mr Giorgi Okropiridze's early release from imprisonment by the end of April 2014 at the latest.
>
> The fulfilment of this condition shall constitute the final resolution of the present case."

5. By a letter of 11 April 2014 the applicant accepted the terms of the declaration.

6. On 8 May 2014 the Government informed the Court that on 18 April 2014 the applicant had been released from prison.

THE LAW

7. 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).

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Fatoş Aracı	Päivi Hirvelä
Deputy Registrar	President