

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

FOURTH SECTION

DECISION

Applications nos. 1427/16 and 1580/16
Adrian PĂTRUȚĂ against Romania
and Ionuț-Ciprian CRISTEA against Romania
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 7 September 2017 as a Committee composed of:

Vincent A. De Gaetano, *President,*
Georges Ravarani,
Marko Bošnjak, *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 formal declarations accepting a friendly settlement of the cases,

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 Romanian Government ("the Government").

The Court received friendly-settlement declarations under which the applicants agreed to waive any further claims against Romania in respect of the facts giving rise to these applications, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will 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 undertake 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 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 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 a 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 28 September 2017.

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| Liv Tigerstedt<br>Acting Deputy Registrar | Vincent A. De Gaetano<br>President |

# APPENDIX

List of applications raising complaints under Article 3 of the Convention
(inadequate conditions of detention)

| No. | Application no.<br>Date of introduction | Applicant name<br>Date of birth | Date of receipt of Government declaration | Date of receipt of Applicant's declaration | Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[i] |
|---|---|---|---|---|---|
| 1. | 1427/16<br>26/01/2016 | **Adrian Pătruță**<br>19/12/1976 | 03/04/2017 | 24/03/2017 | 5,400 |
| 2. | 1580/16<br>01/02/2016 | **Ionuț-Ciprian Cristea**<br>21/06/1987 | 03/04/2017 | 22/03/2017 | 10,700 |

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