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

FIRST SECTION

# DECISION

Application no. 39354/13
Dragomir PAVLOVIĆ
against Croatia

The European Court of Human Rights (First Section), sitting on 26 August 2014 as a Committee composed of:

Mirjana Lazarova Trajkovska, *President,*
Paulo Pinto de Albuquerque,
Ksenija Turković, *judges,*

and Søren Prebensen, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 4 June 2013,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

1. The applicant, Mr Dragomir Pavlović, is a Croatian national, who was born in 1974 and lives in Sisak He was represented before the Court by Mr Z. Kostanjšek, a lawyer practising in Sisak.

2. The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

3. On 20 November 2013 the applicant's complaints about the conditions of his detention, under Article 3 of the Convention, were communicated to the Government.

4. On 15 April and 5 June 2014 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Croatia in respect of the facts giving rise to this application against an undertaking by the Government to pay him 13,300 (thirteen thousand three hundred) euros to cover any and all non-pecuniary damage as well as costs and expenses, which will be converted into Croatian kuna 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. 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.

Søren C. Prebensen
Acting Deputy Registrar

Mirjana Lazarova Trajkovska
President