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

THIRD SECTION

DECISION

Application no. 33653/06
Aleksey Vladimirovich POPOV against Russia
and 3 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 4 February 2021 as a Committee composed of:

Darian Pavli, *President,*
Dmitry Dedov,
Peeter Roosma, *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 8 of the Convention concerning the secret surveillance in the context of criminal proceedings 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 (see the appended table).

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Russia 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 25 February 2021.

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Liv Tigerstedt	Darian Pavli
Acting Deputy Registrar	President

APPENDIX

List of applications raising complaints under Article 8 of the Convention

(secret surveillance in the context of criminal proceedings)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
1.	33653/06 22/06/2006	**Aleksey Vladimirovich POPOV** 1967			15/10/2019	09/10/2019	7,500
2.	59094/08 05/11/2008	**Igor Vladimirovich KASATKIN** 1965	Kireyev Aleksey Anatolyevich Nizhniy Novgorod		15/10/2019	20/01/2020	7,500
3.	18566/09 18/03/2009	**Aleksandr Gennadyevich DYAKOV** 1974		Art. 6 (1) - absence of detainees from civil proceedings - Dispute concerning compensation for unlawful prosecution. Final decision on 30/11/2011 by the Astrakhan Regional Court. The applicant was absent both from the first instance hearing and on appeal. He had no counsel.	15/10/2019	30/09/2019	9,750
4.	34652/09 10/06/2009	**Vyacheslav Aleksandrovich YERMOLENKO** 1977		Art. 3 - inadequate conditions of detention - Overcrowding in IZ-52/1 in Nizhniy Novgorod from 08/07/2008 to 27/04/2009: 13 to 15 inmates in a cell measuring 10 sq. m. Insufficient sleeping places; toilet facilities allowing for no privacy; restricted access to shower; the cells infested with insects; the applicant held together with inmates suffering from contagious diseases. Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention.	15/10/2019	06/08/2019	9,750

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