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

THIRD SECTION

DECISION

Application no. 25393/07
Viktor Ivanovich SKRYTNIK
against Russia

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

Luis López Guerra, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 24 April 2007,

Having regard to the declaration submitted by the respondent Government on 15 June 2016 requesting the Court to strike the application out of the list of cases and the applicant's reply to that declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Viktor Ivanovich Skrytnik, is a Russian national, who was born in 1959 and lives in Krasnodar.

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

The applicant complained in essence under Article 3 of the Convention about the domestic authorities' failure to carry out an adequate investigation into his alleged ill-treatment by private individuals.

The application was communicated to the Government on 2 September 2015.

After the failure of attempts to reach a friendly settlement, by letter of 15 June 2016 the Government informed the Court that they proposed to

make a declaration with a view to resolving the issues raised by the application.

> "... the Government of the Russian Federation acknowledge that the domestic authorities have failed to conduct an effective official investigation into the alleged ill-treatment inflicted on the applicant, Viktor Ivanovich Skrytnik, by private individuals and, therefore, there has been a violation of the procedural aspect of Article 3 of the Convention in the present case.
>
> The Government of the Russian Federation are ready to pay the applicant a sum of 10,000 euros as just satisfaction.
>
> The Government therefore invite the Court to strike the present case out of the list of cases. They suggest that the present declaration might be accepted by the Court as 'any other reason' justifying the striking out of the case of the Court's list of cases, as referred to in Article 37 § 1 (c) of the Convention.
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> The sum referred to above, which is to cover any pecuniary and non-pecuniary damage as well as costs and expenses, 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 pursuant to Article 37 § 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms and shall be converted into Russian roubles at the rate applicable at the date of payment. In the event of failure to pay this sum within the said three-month period, the Government undertake to 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 periods plus three percentage points.
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> This payment will constitute the final resolution of the case."

On 30 August 2017 the Court received a letter from the applicant informing the Court that he had agreed to the terms of the Government's declaration.

THE LAW

The Court finds that following the applicant's express agreement to the terms of the declaration made by the Government the case should be treated as a friendly settlement between the parties.

It therefore 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 pursuant to Article 39 of the Convention.

Done in English and notified in writing on 30 November 2017.

Fatoş Aracı Deputy Registrar	Luis López Guerra President