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

THIRD SECTION

DECISION

Application no. 30850/20
Sardor Yulchiyevich ZIYABOV
against Russia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 25 August 2022 as a Committee composed of:

Darian Pavli, *President,*
Andreas Zünd,
Mikhail Lobov, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 26 June 2020,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant's complaint under Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention was communicated to the Russian Government ("the Government"). The complaint concerning detention in a cage at court hearings was also communicated under Article 3 of the Convention.

The Government submitted a declaration with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the application.

The Government acknowledged the excessive length of pre-trial detention. They further acknowledged that the domestic authorities had violated the applicant's rights guaranteed by Article 3 of the Convention. They offered to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amount would be converted into the

currency of the respondent State at the rate applicable on the date of payment, and would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned 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 applicant informed the Court that he agreed to the terms of the 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 the Protocols thereto and finds no reasons to justify the 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.

Done in English and notified in writing on 15 September 2022.

Viktoriya Maradudina	Darian Pavli
Acting Deputy Registrar	President

APPENDIX

Application raising complaints under Article 5 § 3 of the Convention (excessive length of pre-trial detention)

Application no. Date of introduction	Applicant's name Year of birth	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
30850/20 26/06/2020	**Sardor Yulchiyevich ZIYABOV** 1985	Art. 3 - use of metal cages and/or other security arrangements in courtrooms - in the Zavolzhskiy District Court of Yaroslavl since 30/12/2019	08/02/2021	09/04/2021	3,520

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