



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

FIRST SECTION

DECISION

Application no. 13343/15
Argishti KIVIRYAN
against Armenia

The European Court of Human Rights (First Section), sitting on 18 June 2019 as a Committee composed of:

Krzysztof Wojtyczek, *President*,

Armen Harutyunyan,

Pauliine Koskelo, *judges*,

and Renata Degener, *Deputy Section Registrar*,

Having regard to the above application lodged on 23 February 2015,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Argishti Kiviryan, is an Armenian national, who was born in 1977 and lives in Yerevan. He was represented before the Court by Ms L. Sahakyan and Mr Y. Varosyan, lawyers practising in Yerevan.

The Armenian Government (“the Government”) were represented by their Agent, Mr Y. Kirakosyan, Representative of the Republic of Armenia before the European Court of Human Rights.

The applicant complained under Article 3 of the Convention about his alleged ill-treatment and the lack of an effective investigation.

On 15 March 2019 and 15 February 2019 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Armenia in respect of the facts giving rise to this application against an undertaking by the Government to pay him 9,000 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Armenian drams 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.

Done in English and notified in writing on 11 July 2019.

Renata Degener
Deputy Registrar

Krzysztof Wojtyczek
President