



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

FOURTH SECTION

DECISION

Application no. 30332/17
Ararat KHANDOYAN
against Armenia
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 8 December 2022 as a Committee composed of:

Anja Seibert-Fohr, *President*,

Armen Harutyunyan,

Ana Maria Guerra Martins, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above application lodged on 13 April 2017,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant was represented by Mr A. Gharagyozyan, a lawyer practising in Yerevan.

The applicant's complaints under Article 5 § 3 of the Convention concerning the lack of relevant and sufficient reasons for detention were communicated to the Armenian Government ("the Government"). Complaints based on the same facts were also communicated under other provisions of the Convention.

The Court received the 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, subject to an undertaking by the Government to pay him 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 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 the Protocols thereto 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 12 January 2023.

Viktoriya Maradudina
Acting Deputy Registrar

Anja Seibert-Fohr
President

KHANDOYAN v. ARMENIA DECISION

APPENDIX

Application raising complaints under Article 5 § 3 of the Convention
(lack of relevant and sufficient reasons for detention)

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 non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
30332/17 13/04/2017	Ararat KHANDOYAN 1974	Gharagyozyan Ara Yerevan	Art. 5 (1) - unlawful detention - Failure to provide any reasons and to set any time-limits when authorising continuation of detention during trial (Vardan Martirosyan v. Armenia, no. 13610/12, §§ 45-50, 15 June 2021).	07/04/2022	17/01/2022	3,900	250

¹ Plus any tax that may be chargeable to the applicant.

² Plus any tax that may be chargeable to the applicant.