



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

FOURTH SECTION

DECISION

Application no. 78080/14
Gevorg GOZEYAN against Armenia
and 4 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 17 December 2020 as a Committee composed of:

Jolien Schukking, *President*,

Armen Harutyunyan,

Ana Maria Guerra Martins, *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 5 § 3 of the Convention concerning the lack of relevant and sufficient reasons for detention were communicated to the Armenian Government ("the Government"). Some applicants also raised complaints under Article 5 § 1 (c) of Convention.

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Armenia 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 as regards the complaints concerning the lack of relevant and sufficient reasons for detention.

The applicants in applications nos. 78080/14 and 83775/17 also raised complaints under Article 5 § 1 (c) of the Convention.

The Court has examined these applications and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

It follows that this part of the applications must be rejected in accordance with Article 35 § 4 of the Convention.

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 as regards the complaints concerning the lack of relevant and sufficient reasons for detention under Article 5 § 3 of the Convention;

Declares the remainder of applications nos. 78080/14 and 83775/17 inadmissible.

GOZEYAN v. ARMENIA AND OTHER APPLICATIONS DECISION

Done in English and notified in writing on 21 January 2021.

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Liv Tigerstedt
Acting Deputy Registrar

Jolien Schukking
President

GOZEYAN v. ARMENIA AND OTHER APPLICATIONS DECISION

APPENDIX

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

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	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.	78080/14 17/12/2014	Gevorg GOZEYAN 1985	Anna Maralyan Strasbourg	27/02/2020	17/07/2020	3,300
2.	15438/16 07/02/2016	Smbat MARGARYAN 1982	Tigran Yegoryan Yerevan	07/02/2020	19/10/2020	5,300
3.	45657/17 15/06/2017	Hovhannes GHAZARYAN 1992	Ani Chatinyan Vanadzor	03/03/2020	24/07/2020	1,000
4.	83775/17 29/11/2017	Gagik YEGHIAZARYAN 1983	Tigran Yegoryan Yerevan	07/02/2020	19/10/2020	2,500
5.	1261/18 27/12/2017	Vardan GERAVENTYAN 1962	Tigran Yegoryan Yerevan	07/02/2020	19/10/2020	2,500

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