



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

FIRST SECTION

DECISION

Application no. 59670/19

H.A.

against Greece

The European Court of Human Rights (First Section), sitting on 16 December 2020 as a Committee composed of:

Erik Wennerström, *President*,

Linos-Alexandre Sicilianos,

Lorraine Schembri Orland, *judges*,

and Renata Degener, *Deputy Section Registrar*,

Having regard to the above application lodged on 19 November 2019,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms H.A., is an Ethiopian national, who was born in 1986 and lives in Florina. The President granted the applicant's request for her identity not to be disclosed to the public (Rule 47 § 4). She was represented before the Court by Mr P. Schonberger, a lawyer practising in Berlin.

The Greek Government ("the Government") were represented by their Agent, Mr I.-K. Chalkias, President at the State Legal Council.

The applicant, who was pregnant at the material time, complained under Article 3 of the Convention about her living conditions in the hotspot of Samos and under Article 34 about the Government's alleged failure to comply with the interim measures that had been indicated by the Court on 19 November 2019 under Rule 39 of the Rules of Court.

On 7 October 2020 and 23 October 2020 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Greece in respect of the facts giving rise to this application against an undertaking by the Government to

pay her 5,000 (five thousand) euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be free of any taxes that may be applicable and 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 21 January 2021.

Renata Degener
Deputy Registrar

Erik Wennerström
President