



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

FIRST SECTION

DECISION

Application no. 31428/18
S.A.C.
against the United Kingdom

The European Court of Human Rights (First Section), sitting on 12 November 2019 as a Committee composed of:

Aleš Pejchal, President,

Tim Eicke,

Jovan Ilievski, judges,

and Renata Degener, *Deputy Section Registrar*,

Having regard to the above application lodged on 5 July 2018,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, S.A.C., is a Bangladeshi national, who was born in 1980 and lives in the United Kingdom. The President granted the applicant's request for his identity not to be disclosed to the public (Rule 47 § 4). He was represented before the Court by Ms J. Ijaz, a lawyer practising in Harrow.

The United Kingdom Government ("the Government") were represented by their Agent, Mr Samuel Linehan.

The applicant complained under Article 3 of the Convention about the refusal of his application for asylum in the United Kingdom. In particular, the applicant asserted that he faced a real risk of serious and irreversible harm upon return to Bangladesh as a gay/bisexual man.

On 6 July 2018 the Court granted an interim measure under Rule 39 of the Rules of Court to prevent the applicant's removal to Bangladesh prior to its consideration of his application.

After the Government had been given notice of the applications, they informed the Court on 20 June 2019 that they had reached a settlement with

the applicant on terms to include a reconsideration of his asylum and human rights claim within three months of the submission of further evidence by the applicant.

The terms of the settlement include an undertaking by the Government to pay the applicant three thousand pounds sterling in respect of his costs and expenses within three months from the date of notification of the strike-out decision taken by the Court. This sum includes any tax that may be due on the amount. 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 settlement terms constitute the final resolution of the case.

On 28 June 2019 the applicant confirmed to the Court that he wanted to withdraw his application as a result of the settlement reached.

THE LAW

In the light of the above, the Court considers that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and its Protocols does not require it to continue the examination of the application under Article 37 § 1 *in fine*.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to lift the interim measure indicated under Rule 39 of the Rules of Court on 6 July 2018;

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 5 December 2019.

Renata Degener
Deputy Registrar

Aleš Pejchal
President