



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

FIRST SECTION

DECISION

Application no. 51326/07
Nazim AGAMIRZAYEV
against Azerbaijan

The European Court of Human Rights (First Section), sitting on 13 March 2012 as a Committee composed of:

Peer Lorenzen, *President*,

Elisabeth Steiner,

Khanlar Hajiyeu, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 9 November 2007,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Nazim Mansur oglu Agamirzayev, is an Azerbaijani national who was born in 1958 and lives in Baku. The Azerbaijani Government (“the Government”) were represented by their Agent, Mr Ç. Asgarov.

The applicant complained under Articles 6, 8 and 13 of the Convention about the alleged unfairness of the proceedings concerning the establishment of his paternity over his life partner’s child born during their cohabitation.

The application was communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to appoint a representative before the Court and submit his own observations. No reply was received to the Registry’s letter.

By letters dated 23 September and 21 November 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 26 August 2011 and that no extension of time had been requested. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. However, no response has been received to these letters.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

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.

André Wampach
Deputy Registrar

Peer Lorenzen
President