



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

FIRST SECTION

DECISION

Application no. 34447/03
Lilya Viktorovna BORISOVA
against Russia

The European Court of Human Rights (First Section), sitting on 26 November 2013 as a Committee composed of:

Khanlar Hajiyev, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 2 September 2003,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Lilya Viktorovna Borisova, is a Russian national, who was born in 1978 and lives in Voronezh. She was represented before the Court by Mr N. Khaustov, a lawyer practising in Voronezh.

The respondent Government are represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

By a final judgment of 29 July 2003 the Voronezh Regional Court convicted the applicant of drug trafficking on a large scale and sentenced her to three years' imprisonment.

The applicant complained under Article 6 of the Convention about the unfairness of the criminal proceedings against her.

The applicant's complaint that she had been unfairly convicted of drug offences incited by the police was communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 23 September 2008, sent by registered post, the applicant's representative was notified that the period allowed for submission of her observations had expired on 18 July 2008 and that no extension of time had been requested. The applicant's representative'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.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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

Khanlar Hajiyev
President