

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

FIRST SECTION

DECISION

Application no. 18703/08
Azer AKBAROV
against Azerbaijan

The European Court of Human Rights (First Section), sitting on 22 May 2012 as a Committee composed of:

Peer Lorenzen, *President,*
Khanlar Hajiyev,
Julia Laffranque, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 27 February 2008,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Azer Akbarov, is an Azerbaijani national who was born in 1963 and lives in Ganja. He is represented before the Court by Mr R. Agayev, a lawyer practising in Azerbaijan. The Azerbaijani Government ("the Government") were represented by their Agent, Mr Ç. Asgarov.

The applicant complained under Article 6 of the Convention and Article 1 of Protocol No. 1 to the Convention about the non-enforcement of the domestic judgment delivered in his favour.

The applicant's complaints were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 20 September 2011, sent by registered post, the applicant's representative was notified that the period allowed for submission of the applicant's observations had expired on 3 March 2011 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. The applicant's representative received this letter on 30 September 2011. 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 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