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

SECOND SECTION

DECISION

Application no. 2095/15
Fettah ALAY and Others
against Türkiye

The European Court of Human Rights (Second Section), sitting on 27 June 2024 as a Committee composed of:

Diana Sârcu, *President,*
Davor Derenčinović,
Gediminas Sagatys*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 17 December 2014,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of the applicants is set out in the appendix.

The applicants were represented by Mr M. Sadak, a lawyer practising in Istanbul.

The applicants' complaints under Article 6 of the Convention concerning the unfairness of criminal proceedings due to their alleged inability to effectively challenge the quality of the main, if not the only, piece of evidence, namely print-outs regarding "background information" on them derived from floppy disks found and seized in 2000 in the context of another set of criminal proceedings against Hizbullah, were communicated to the Turkish Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit their own observations. No reply was received to the Registry's letter.

By letter dated 16 April 2024, sent to the applicant's representative through the Court's Electronic Communications Service (eComms), the representative was notified that the period allowed for submission of his observations had expired on 25 March 2024 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of

its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The letter was downloaded by the applicant's representative on 16 April 2024; however, no response has followed.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

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

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 18 July 2024.

Viktoriya Maradudina	Diana Sârcu
Acting Deputy Registrar	President

APPENDIX

List of applicants

No.	Applicant's Name	Year of birth
1.	Fettah ALAY	1968
2.	Şeyhmus COŞKUN	1972
3.	Abdulaziz ÖNEN	1967