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

FIRST SECTION

DECISION

Application no. 10531/12
Bekir BALIK
against Poland

The European Court of Human Rights (First Section), sitting on 12 December 2017as a Committee composed of:

Aleš Pejchal, *President,*
Krzysztof Wojtyczek,
Jovan Ilievski, *judges,*

and Renata Degener, *Deputy Section Registrar,*

Having regard to the above application lodged on 31 January 2012,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Bekir Balık, is a Turkish national, who was born in 1977 and lives in Afyon, Turkey.

2. The Polish Government ("the Government") were represented by their Agent, Mrs J. Chrzanowska of the Ministry of Foreign Affairs.

3. The applicant complained under Article 9 of the Convention about the State's failure to provide him with a diet in conformity with his faith while in prison in Poland.

4. On 21 September 2016 the applicant's complaints were communicated to the Government, who submitted their observations on the admissibility and merits on 18 January 2017. These observations were forwarded to the applicant, who was invited to submit his observations in reply as well as his claims for just satisfaction. The applicant failed to reply to the Registry's letter.

5. By a letters dated 26 April 2017 and 24 August 2017, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 7 March 2017 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. There is no information whether the applicant received the first letter. However, the second letter was returned to the Registry unclaimed. The applicant has not to date resumed correspondence with the Court in the instant case

THE LAW

6. 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.

7. 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.

Done in English and notified in writing on 11 January 2018.

Renata Degener
Deputy Registrar

Aleš Pejchal
President