

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

FIRST SECTION

DECISION

Application no. 32066/07
Ruslan BASHIROV
against Azerbaijan

The European Court of Human Rights (First Section), sitting on 18 September 2012 as a Committee composed of:

Peer Lorenzen, *President,*
Elisabeth Steiner,
Khanlar Hajiyev, *judges,*

and André Wampach, *Deputy Section Registrar*,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Ruslan Jalil oglu Bashirov (*Ruslan Cəlil oğlu Bəşirov*), is an Azerbaijani national, who was born in 1978 and lives in Zardab. He was represented before the Court by Mr I. Ashurov, a lawyer practising in Baku.

The Azerbaijani Government ("the Government") were represented by their Agent, Mr Ç. Asgarov.

The applicant complained, *inter alia*, under Articles 3 and 6 of the Convention about the conditions of his detention, alleged unfairness of the criminal proceedings against him and alleged breach of his right to the presumption of innocence.

On 31 August 2011 the Court decided to give notice to the Government of the applicant's complaints detailed above.

On 16 January 2012 the Government submitted to the Registry their observations on the admissibility and merits of the application. These were forwarded on 19 January 2012 to the applicant, who was invited to submit observations in reply by 1 March 2012.

By a letter of 23 March 2012 the applicant personally informed the Court that he wished to withdraw the application as he had been pardoned by a presidential decree of 16 March 2012 and released from prison. By a letter of 27 April 2012 the Court requested the applicant's representative to confirm, by 25 May 2012, the applicant's wish to withdraw the application. This letter was received at the applicant's representative's office on 10 May 2012. No response has been received.

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 or its Protocols, 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.

André Wampach
Deputy Registrar

Peer Lorenzen
President