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

SECOND SECTION

DECISION

Application no. 34080/10
Bernhard BUDERATH
against Turkey

The European Court of Human Rights (Second Section), sitting on 7 November 2017 as a Committee composed of:

Ledi Bianku, *President,*
Paul Lemmens,
Jon Fridrik Kjølbro, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 May 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Bernhard Buderath, is a German national, who was born in 1955 and lives in Hamburg.

The Turkish Government ("the Government") were represented by their Agent.

The applicant was an individual small shareholder of Demirbank, a private bank in Turkey. By a decision of 6 December 2000, the Banking Regulation and Supervision Board (*Bankacılık Düzenleme ve Denetleme Kurulu*) decided to transfer the management and control of Demirbank to the Savings Deposit Insurance Fund (*Tasarruf Mevduatı Sigorta Fonu*). This decision was subsequently annulled by the national courts. Following this annulment, the applicant initiated compensation proceedings before the domestic courts. However he was not awarded any compensation. The applicant complained under Article 1 of Protocol No. 1 to the Convention that he was illegally deprived of his shares in Demirbank and could not receive any compensation for his loss.

On 7 May 2010 Ms J. Ertürk, the applicant's representative at that time, submitted an application form on his behalf and indicated her personal address as her contact information. In the same form she also indicated the applicant's permanent address.

On 26 August 2010 Ms J. Ertürk informed the Registry that the applicant had discharged her from acting as his legal representative.

By a letter dated 19 April 2011, sent by registered post, the applicant himself was reminded that he should inform the Court of any change in his address.

On 3 April 2017 the applicant's complaint was communicated to the Government, who then submitted their observations on the admissibility and merits.

Also on 3 April 2017, a letter requesting the applicant to take a position on the issue of a possible friendly settlement was sent to his permanent address.

On 4 August 2017 the postal services returned the letter to the Court indicating that it had not been delivered to the applicant on the ground that he had been unknown at the given address.

No further information has been received from the applicant about any new correspondence address.

THE LAW

The Court considers with reference to Article 37 § 1 (a) and (c) of the Convention that, in these circumstances, it is no longer justified to continue the examination of the application. 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.

Done in English and notified in writing on 30 November 2017.

Hasan Bakırcı
Deputy Registrar

Ledi Bianku
President