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

FIRST SECTION

DECISION

Application no. 16977/13
Margarita Aleksandrovna CHARYKOVA
against Russia

The European Court of Human Rights (First Section), sitting on 26 August 2014 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Erik Møse, *judges,*

and Søren Prebensen, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 7 March 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Margarita Aleksandrovna Charykova, is a Russian national, who was born in 1988 and lives in Moscow She was represented before the Court by Ms S. Sidorkina, a lawyer practising in Moscow.

The Russian Government ("the Government") were represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

On 7 March 2013 the Court received the applicant's request for the application of interim measure under Rule 39 of the Rules of Court. The applicant, who was detained at the time on suspicion of an attempt to commit aggravated drug trafficking, complained that she was not provided with necessary medical assistance in detention and that her life and limb were therefore in jeopardy. The applicant did not submit any medical documents in support of her arguments, having claimed that her medical file had been misplaced during a search in her flat.

On 11 March 2013, after examining the request, the President of the Section to which the case had been allocated decided, in the circumstances, not to indicate to the Government of Russia, under Rule 39 of the Rules of

Court, the interim measure sought by the applicant. The President also decided to request the Government, under Rule 54 § 2 (a) of the Rules of Court, to submit factual information about the state of the applicant's health and the quality of medical treatment afforded to her in detention.

The Government submitted the requested information, in English, on 2 April 2013. In particular, relying on a copy of the applicant's medical record and certificates issued by medical personnel of the detention facility, they argued that the applicant was under constant medical supervision and that she received necessary medical care. The Government insisted that the applicant's state of health was satisfactory.

On 3 April 2013 the Government's submissions were forwarded to the applicant's representative and she was asked to submit written comments in reply by 21 May 2013. On 30 April 2013 the Court forwarded the Russian translation of the Government's submissions to the applicant's representative.

On 23 May 2013 the applicant's representative informed the Court that the applicant had been released from detention on 5 May 2013. The representative also asked to extend the period for submitting her comments in reply to the Government's information as she had only received the Russian translation on 22 May 2013.

Having taken note of the reason advanced, the President of the Section agreed to grant the extension requested. The new time-limit was set for 21 June 2013.

Following the failure of the applicant's representative to respond, the Court, by letter dated 19 December 2013, sent by registered post, notified the representative that the period allowed for submission of the comments to the Government's information had expired on 21 June 2013 and that no further extension of time had been requested. The attention of the applicant's representative \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 22 January 2014. However, no response has been received since.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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.

Søren Prebensen	Khanlar Hajiyev
Acting Deputy Registrar	President