

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

THIRD SECTION

DECISION

Application no. 14017/05
by Simion COCOARĂ
against Romania

The European Court of Human Rights (Third Section), sitting on 8 March 2011 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Kristina Pardalos, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 April 2005,

Having deliberated, decides as follows:

THE FACTS

The application was lodged by Mr Simion Cocoară, a Romanian national who was born in 1952 and lives in Cluj-Napoca. The Romanian Government ("the Government") were represented by their Agent, Mr. Răzvan Horaţiu Radu, from the Ministry of Foreign Affairs.

Under Article 6 § 1 and Article 1 of Protocol No. 1 to the Convention, both taken alone and in conjunction with Article 14, the applicant, member of the Jehova's Witnesses, claimed that the court of appeal which refused to recognise him as politically persecuted on account of his religion and to subsequently award him the benefits granted by Law-Decree No. 118 of 1990, adopted opposite decisions in identical cases in respect of other Jehovah's Witnesses.

The applicant's complaints were communicated to the Government, who submitted their observations on the admissibility and merits. The

observations were forwarded to the applicant, who was invited to submit his respective just satisfaction claims. No reply was received to the Registry's letter.

By letter dated 8 December 2010, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 20 April 2010 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. The letter remained unclaimed and no response has been received.

THE LAW

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.

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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President