

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

SECOND SECTION

DECISION

Application no. 5669/06
by Halil ÇOLAK
against Turkey

The European Court of Human Rights (Second Section), sitting on 3 November 2011 as a Chamber composed of:

Françoise Tulkens, *President,*
Danutė Jočienė,
Isabelle Berro-Lefèvre,
András Sajó,
Işıl Karakaş,
Paulo Pinto de Albuquerque,
Helen Keller, *judges,*

and Stanley Naismith, *Section Registrar,*

Having regard to the above application lodged on 27 January 2006,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Halil Çolak, is a Turkish national who was born in 1964 and lives in Antalya. The Turkish Government ("the Government") were represented by their Agent.

The applicant complained under Article 3 of the Convention about the alleged ill-treatment inflicted upon him by a police officer during his arrest.

The applicant's complaints concerning the alleged ill-treatment 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 own observations. No reply was received to the Registry's letter.

By letter dated 5 April 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 12 March 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 applicant received this letter on 4 May 2011. However, 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.

Stanley Naismith
Registrar

Françoise Tulkens
President