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

SECOND SECTION

DECISION

Application no. 17027/06
Hamza CÖMERT and others
against Turkey

The European Court of Human Rights (Second Section), sitting on 5 September 2017 as a Committee composed of:

Julia Laffranque, *President,*
Paul Lemmens,
Valeriu Griţco, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. A list of the applicants is set out in the appendix. They were represented before the Court by Mr Gökhan Nurtin, Ms B. Işın Yıldırım and Mr Gencer Hazır, lawyers practicing in Ankara. The Turkish Government ("the Government") were represented by their Agent.

2. The applicants, who were employed by the İslâhiye Municipality (the municipality), were either dismissed or were retired. They subsequently brought separate actions before domestic courts, claiming their outstanding salaries, dismissal indemnities, severance pay and/or other pecuniary rights.

3. The domestic courts ordered the municipality to pay certain amounts favouring the applicants' claims. However, when the application was lodged with the Court, the applicants had still not been paid the outstanding amounts in full.

4. The case was communicated to the Government under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention.

5. Following the communication of the case, by a letter dated 23 February 2017, the applicants' representative was requested to submit

further factual information. In particular, he was invited to inform the Court about the outcome of the proceedings before the Compensation Commission, set up by Law no. 6384 of 9 January 2013. The representative'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 applicants do not intend to pursue the application.

6. According to the information obtained from the official website of the Turkish Postal Service, on 3 March 2017 the letter was delivered to the applicants' representative. However, no response has been received.

THE LAW

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

Done in English and notified in writing on 28 September 2017.

Hasan Bakırcı
Deputy Registrar

Julia Laffranque
President

APPENDIX

Nº.	First name LAST NAME	Birth date	Place of residence
1.	Hamza CÖMERT	04/03/1942	Gaziantep
2.	Halil ASLAN	01/01/1959	Gaziantep
3.	Ömer ATEŞ	01/01/1960	Gaziantep
4.	Şıh Mehmet AYAZ	01/01/1961	Gaziantep
5.	Hüseyin ÇALIK	01/01/1960	Gaziantep
6.	Ali DEMİR	01/01/1945	Gaziantep
7.	Erdal EROL	01/01/1971	Gaziantep
8.	Ramazan GÖZEL	01/01/1965	Gaziantep
9.	Ertaç HÜMAZ	26/03/1989	Gaziantep
10.	Hasan HÜMAZ	02/03/1988	Gaziantep
11.	Hatice HÜMAZ	01/01/1955	Gaziantep
12.	Nurcan HÜMAZ	02/03/1988	Gaziantep
13.	Sebaha İNCEARIK	10/09/1978	Gaziantep
14.	Ökkeş KAHRIMAN	01/01/1959	Gaziantep
15.	Ökkeş KARADAŞ	01/01/1968	Gaziantep
16.	Abdurrahman KAYA	01/01/1956	Gaziantep
17.	Hikmet KORKUT	01/01/1961	Gaziantep
18.	Hüseyin ŞENAVCI	01/01/1949	Gaziantep
19.	Ökkeş SÖNMEZ	01/01/1962	Gaziantep
20.	Serpil TAŞÇI	10/10/1980	Gaziantep
21.	Kadir ÜMİT	01/01/1960	Gaziantep