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

SECOND SECTION

DECISION

Application no. 16066/12
Mehmet ERIK
against Turkey

The European Court of Human Rights (Second Section), sitting on 13 December 2016 as a Committee composed of:

Nebojša Vučinić, *President,*
Valeriu Griţco,
Stéphanie Mourou-Vikström, *judges,*
and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 12 January 2012,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Mehmet Erik, is a Turkish national, who was born in 1990 and lives in Şırnak. He was represented before the Court by Mr E. Bulut, a lawyer practising in Diyarbakır.

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

The applicant complained under Article 6 of the Convention that the statements of the police officers who testified against him were not taken by the trial court, thus depriving him or his representative from the opportunity of examining them. He further complained that his conviction under Articles 220 (6) and 314 of the Criminal Code for acts allegedly committed by him constituted a violation of Article 7 of the Convention. The applicant lastly contended under Article 10 of the Convention that his trial and conviction were in breach of his right to freedom of expression.

The applicant's aforementioned complaints were communicated to the Government, who submitted their observations on the admissibility and merits. On 14 May 2014 the observations were forwarded to the applicant's

representative, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 22 September 2014, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 25 June 2014 and that no extension of time had been requested. The applicant's 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 applicant does not intend to pursue the application. The applicant's representative received this letter on 1 October 2014. However, no response was received.

By letter dated 7 July 2016, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 25 June 2014 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 21 July 2016. 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.

Done in English and notified in writing on 19 January 2017.

Hasan Bakırcı
Deputy Registrar

Nebojša Vučinić
President