

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

FIRST SECTION

DECISION

Application no. 51380/10
Nazmi GASHI and Leke SALIHU
against Croatia

The European Court of Human Rights (First Section), sitting on 13 March 2012 as a Committee composed of:

Anatoly Kovler, *President,*
Mirjana Lazarova Trajkovska,
Linos-Alexandre Sicilianos, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 27 July 2010,

Having deliberated, decides as follows:

THE FACTS

The applicants, Messrs Nazmi Gashi and Leke Salihu were both born in 1983 and live in Pristina. They were represented before the Court by Ms L. Horvat, a lawyer practising in Zagreb. The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

The applicants' complaints under Articles 3, 5, 8 and 14 of the Convention, concerning the allegations that they had been kept for an entire night in a police station, allegedly in order to give evidence in connection with allegations of violent attack on them during a gay pride in Zagreb, were communicated to the Government.

By letter dated 2 November 2011 the applicants' representative informed the Court that she had received a letter from the applicants. She enclosed the letter at issue which expressly stated that the applicants were terminating the

relationship with her as their representative and that they "officially" asked her to cease any work on any pending matters related to their case.

In her letter to the Court, the lawyer, however, expressed the view that the applicants no longer whished her to represent them because they feared problems in their own country on the basis of their application with the Court, without providing any support for her allegations.

On the other hand, on 27 October 2011 the Government made submissions that the signatures on the power of attorney enclosed in the case-file had not been those of the applicants and enclosed an expert report to that effect.

By letter dated 8 November 2011, sent by registered post, the applicants were asked whether they wished to pursue their application. Their 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. Both applicants received this letter on 16 November 2011. 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.

André Wampach
Deputy Registrar

Anatoly Kovler
President