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

FOURTH SECTION

DECISION

Application no. 28405/11
Lasha GETIASHVILI and Zurab KHACHIDZE
against Georgia

The European Court of Human Rights (Fourth Section), sitting on 7 March 2017 as a Committee composed of:
Krzysztof Wojtyczek, *President,*
Nona Tsotsoria,
Marko Bošnjak, *judges,*
and Andrea Tamietti, *Deputy Section Registrar,*
Having regard to the above application lodged on 1 April 2011,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicants, Mr Lasha Getiashvili ("the first applicant") and Mr Zurab Khachidze ("the second applicant"), are Georgian nationals, who were born in 1981 and 1975 respectively and are currently serving prison sentences. They were both represented before the Court by Ms N. Pilauri, a lawyer practising in Tbilisi ("the representative").

2. The Georgian Government ("the Government") were represented by their Agent, Mr L. Meskhoradze, of the Ministry of Justice.

3. The applicants complained under Article 3 of the Convention about their alleged ill-treatment by prison guards.

4. On 19 March 2015 notice of the application was given to the Government, who submitted, on 14 July 2015, a unilateral declaration with respect to the first applicant's complaint and observations on the admissibility and merits of the second applicant's complaint.

5. The Government's submissions were transmitted to the representative, who was invited to submit, on behalf of her clients and as appropriate, comments on the unilateral declaration and observations in reply by

15 September 2015. No response followed. By a registered letter of 18 January 2016, which was duly served on the representative on 22 January 2016, the Registry of the Court extended the time-limit for submission of the above-mentioned information until 15 February 2016. There was still no reply.

6. The representative remained silent even after receiving on 24 May 2016 the Court's last reminder of 17 May 2016, sent by registered post, with a warning that the application might be struck out in its entirety under Article 37 § 1 (a) of the Convention.

THE LAW

7. 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.

8. 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 30 March 2017.

Andrea Tamietti
Deputy Registrar

Krzysztof Wojtyczek
President