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

SECOND SECTION

DECISION

Application no. 35665/04
Ali Ercan GÖKOĞLU
against Turkey

The European Court of Human Rights (Second Section), sitting on 1 July 2014 as a Committee composed of:

András Sajó, President,
Helen Keller,
Robert Spano, judges,

and Abel Campos, *Deputy Section Registrar,*

Having regard to the above application lodged on 16 August 2004,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Ali Ercan Gökoğlu, is a Turkish national, who was born in 1968 and lives in Istanbul. He was represented before the Court by Ms. E. İ. İşbulur, a lawyer practising in Istanbul.

At the material time, the applicant was the owner and the editor in chief of a weekly political magazine. The publication of the magazine was regularly suspended by the Istanbul State Security Court pursuant to section 6 (5) of Law no. 3713 (the Prevention of Terrorism Act), based on various news reports and articles. The impugned publications were deemed to be propaganda in favour of armed terrorist organisations. By an indictment dated 12 July 2002, the applicant was charged with inciting people to hatred or hostility under Article 312 of the former Criminal Code, and with disseminating separatist propaganda against the indivisible unity of the State under section 8 of Law no. 3713. The criminal proceedings were still pending when the application was lodged with the Court

By letters dated, 21 October 2009, 19 October 2010 (sent by registered post) and 7 November 2013 (sent by registered post) respectively, the applicant's representative was requested to submit further documents and information about the case. On each occasion, 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 applicant does not intend to pursue the application. 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.

Abel Campos
Deputy Registrar

András Sajó
President