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

FOURTH SECTION

DECISION

Application no. 63474/10
Petru HIJNÎI
against Romania

The European Court of Human Rights (Fourth Section), sitting on 22 November 2016 as a Committee composed of:

Paulo Pinto de Albuquerque, *President,*
Iulia Motoc,
Marko Bošnjak, *judges,*

and Andrea Tamietti, *Deputy Section Registrar,*

Having regard to the above application lodged on 13 October 2010,

Having deliberated, decides as follows:

FACTS, PROCEDURE AND LAW

1. The applicant, Mr Petru Hijnîi, is a Ukrainian national, who was born in 1958 and lives in Chişinău, the Republic of Moldova. He was represented before the Court by Ms D. Grama, a lawyer practising in Chişinău.

2. The applicant's complaint about an alleged breach of the principle of legal certainty and of his right to be presumed innocent (Article 6 §§ 1 and 2 of the Convention) was communicated to the Romanian Government, who were represented by their Agent, Ms C. Brumar, from the Romanian Ministry of Foreign Affairs.

3. The applicant and his legal representative failed to respond to the registry's letter of 18 April 2016 (they both failed to claim the letter from the post office), reminding them that the period allowed for submission of the applicant's observations in reply and of his signed friendly settlement declaration had expired on 17 February and 30 March 2016, respectively, and that no extension of time had been requested. Their attention was drawn to Article 37 § 1 (a) of the Convention.

4. 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 15 December 2016.

Andrea Tamietti
Deputy Registrar

Paulo Pinto de Albuquerque
President