

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

SECOND SECTION

DECISION

Application no. 19420/20
Tomas IVANAUSKAS
against Lithuania

The European Court of Human Rights (Second Section), sitting on 13 June 2024 as a Committee composed of:

Diana Sârcu, *President*,
Davor Derenčinović,
Gediminas Sagatys*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 16 April 2020,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Tomas Ivanauskas, was born in 1977.

The applicant's complaint under Article 3 of the Convention concerning him having been subjected to inhuman or degrading treatment during a prison riot was communicated to the Lithuanian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 6 January 2023, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 21 November 2022 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 an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application.

By letter dated 11 October 2023, sent by registered post and delivered to the applicant in Alytus prison on 18 October 2023, the applicant was repeatedly sent the previous letter, together with the Government's observations. The applicant was requested to respond by 22 November 2023,

yet no response from the applicant followed. On 22 December 2023 the applicant was released from Alytus Prison.

By letter dated 18 January 2024, sent by registered post to the applicant's home address and delivered to him on 30 January 2024, the applicant was notified that the period allowed for submission of his observations had expired on 22 November 2023 and that no extension of time had been requested. The applicant's attention was again drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application 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 was requested to respond by 16 February 2024, yet no response from the applicant has been received.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

Accordingly, the case should be struck 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 4 July 2024.

Viktoriya Maradudina	Diana Sârcu
Acting Deputy Registrar	President