

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

THIRD SECTION

DECISION

Application no. 8708/07
Boris IVANOV
against Georgia

The European Court of Human Rights (Third Section), sitting on 10 April 2012 as a Committee composed of:

Ján Šikuta, *President,*
Nona Tsotsoria,
Mihai Poalelungi, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 25 January 2007,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Boris Ivanov, is a Russian national who was born in 1943 and lives in Moscow. He was represented before the Court by Mr Jason Beselia, a lawyer practising in Tbilisi. The Georgian Government ("the Government") were represented by their Agent, Mr Levan Meskhoradze of the Ministry of Justice.

On 25 January 2011 the Court gave notice to the Government of the applicant's complaints under Article 3 of the Convention concerning his alleged ill-treatment during the arrest and the prosecution authorities' failure to conduct an effective investigation in this regard. On 27 May 2011 the Government's observations on the admissibility and merits were received. The Government's observations were forwarded to the applicant, who was invited to submit by 29 July 2011 any written observations in reply, together

with any claims for just satisfaction. However, no reply was received to the Registry's letter.

By letter dated 12 September 2011, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 29 July 2011 and that no extension of time had been requested. The applicant's 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.

No reply or further correspondence has since been received from the applicant.

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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President