

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

THIRD SECTION

DECISION

Application no. 27681/03
by Mehmet KAYALI
against Romania

The European Court of Human Rights (Third Section), sitting on 22 February 2011 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Kristina Pardalos, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 18 August 2003,

Having deliberated, decides as follows:

THE FACTS

The application was lodged by Mr Mehmet Kayali, a Turkish national who was born in 1935 and lived in Bucharest. The Romanian Government ("the Government") were represented by their Agent, Mr. Răzvan-Horaţiu Radu. The Turkish Government, informed about their right to intervene under Article 44 of the Rules of Court, did not exercise their right to submit written observations.

The applicant raised complaints under Article 3, 5 and 6 of the Convention.

The complaint raised under Article 3 concerning ill-treatment and the complaints raised under Article 6 regarding the use of undercover agents and the infringement of his right to defence were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited

to submit his own observations. The envelope containing the Government's observations was sent back by the Rahova Penitentiary with the mention that the applicant was released on 10 January 2009.

The applicant sent his last letter to the Court on 17 November 2004. Although the applicant knew that he had the obligation to inform the Court of any change in his address and about any major developments regarding his case, he neither informed the Court that he was released nor provided it with his new address.

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