

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

SECOND SECTION

DECISION

Application no. 53244/08
by Zeki KAYAR
against Turkey

The European Court of Human Rights (Second Section), sitting on 18 October 2011 as a Committee composed of:

Dragoljub Popović, *President,*
András Sajó,
Paulo Pinto de Albuquerque, *judges,*

and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 8 October 2008,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Zeki Kayar, is a Turkish national who was born in 1973. At the date of the introduction of the application, he was detained in the prison of Siirt. The Turkish Government ("the Government") were represented by their Agent.

The applicant complained under Article 10 of the Convention about the refusal by the national authorities to give him a publication in the prison.

The applicant's complaint under Article 10 of the Convention was 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. No reply was received to the Registry's letter.

By letter dated 11 March 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had

expired on 27 January 2011 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 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. The applicant received this letter on 21 March 2011. 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.

Françoise Elens-Passos
Deputy Registrar

Dragoljub Popović
President