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

THIRD SECTION

DECISION

Application no. 58789/09
Anatoliy Ivanovich KIRUSHEV
against Russia

The European Court of Human Rights (Third Section), sitting on 20 Septembre 2016 as a Committee composed of:

Helen Keller, *President,*
Pere Pastor Vilanova,
Alena Poláčková, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 26 September 2009,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Anatoliy Ivanovich Kirushev, is a Russian national, who was born in 1971 and is detained in Ust-Kulom (Republic of Komi).

The Russian Government ("the Government") were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Article 6 of the Convention about inability to effectively examine anonymous witnesses testifying against him.

The applicant's complaints 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. No reply was received to the Registry's letter.

By letter dated 3 February 2016, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 9 December 2015 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 2016. 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.

Done in English and notified in writing on 13 October 2016.

Fatoş Aracı
Deputy Registrar

Helen Keller
President