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

SECOND SECTION

DECISION

Application no. 74881/11
Orkun Alper KUBUŞ
against Turkey

The European Court of Human Rights (Second Section), sitting on 12 January 2016 as a Committee composed of:

Paul Lemmens, *President,*
Ksenija Turković,
Jon Fridrik Kjølbro, *judges,*

and Abel Campos, *Deputy Section Registrar,*

Having regard to the above application lodged on 13 October 2011,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Orkun Alper Kubuş, is a Turkish national, who was born in 1986 and lives in Istanbul. He was represented before the Court by Mr M. Babillioğlu, a lawyer practising in Istanbul.

2. The Turkish Government ("the Government") were represented by their Agent.

3. The applicant complained under Articles 5 and 6 of the Convention about the disciplinary penalty (room confinement) imposed on him by his military superiors while he was doing his military service.

4. The applicant's complaints were communicated to the Government and the applicant was invited to submit his just satisfaction claims. No reply was received to the Registry's letter.

5. By letter dated 14 August 2015, sent by registered post, the applicant's representative was notified that the period allowed for submission of his just satisfaction claims had expired on 28 October 2013 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. The applicant's representative received this letter on 26 August 2015. However, no response has been received.

THE LAW

6. 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.

7. 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 4 February 2016.

Abel Campos
Deputy Registrar

Paul Lemmens
President