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

SECOND SECTION

DECISION

Application no. 3567/09
M.J.
against Serbia

The European Court of Human Rights (Second Section), sitting on 3 December 2020 as a Committee composed of:

Carlo Ranzoni, *President,*
Branko Lubarda,
Pauliine Koskelo, *judges,*

and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 29 November 2008,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, M.J., was born in 1943. The President of the Section decided under Rule 47 § 4 of the Rules of Court to grant the applicant anonymity.

The applicant was represented by Mr D. Živković, a lawyer practising in Belgrade.

The applicant complained that his child, who had been born in a State-run hospital, was, or may well have been, abducted and unlawfully adopted by another family immediately upon her birth. Those complaints were communicated to the Serbian Government ("the Government") under Articles 8 and 13 of the Convention.

The Government submitted observations on the admissibility and merits. The observations were forwarded to the applicant, who submitted his own observations in reply.

On 7 October 2019 the Registry sent a letter to the applicant's lawyer requesting a factual update. No reply was received to this letter.

By letter dated 16 July 2020, sent through the Court's Electronic Communications Service ("eComms"), the applicant's lawyer was notified that the period allowed for submission of the update had expired on

4 November 2019 and that no extension of time had been requested. The applicant's lawyer was exceptionally given an additional opportunity to provide this update, as well as to submit a further update regarding certain important new developments by 20 September 2020. The lawyer's attention was also drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application.

On 17 July 2020 the applicant's lawyer downloaded the Registry's letter of 16 July 2020. However, no response has been received by the Registry.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

Accordingly, the case should be struck 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 14 January 2021.

Liv Tigerstedt	Carlo Ranzoni
Acting Deputy Registrar	President