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

SECOND SECTION

DECISION

Application no. 11016/23
Cansel MALATYALI
against Türkiye

The European Court of Human Rights (Second Section), sitting on 2 July 2026 as a Committee composed of:

Stéphane Pisani*, President*,
Juha Lavapuro,
Hugh Mercer*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application against the Republic of Türkiye lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 17 February 2023,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Cansel Malatyalı, was born in 1969. He was represented by Mr Z. İncin, a lawyer practising in İzmir.

The applicant's complaint under Article 10 of the Convention concerning his criminal conviction to a prison sentence combined with a measure of suspension of the pronouncement of the judgment on charges of insulting a public official and insulting the President of the Republic for his acts or statements allegedly relating to the use by him of his freedom of expression was communicated to the Turkish Government ("the Government"), who submitted 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 Registrar's letter.

By letter dated 21 March 2025, sent to the applicant's representative through the Court's Electronic Communications Service (eComms), the representative was notified that the period allowed for submission of the applicant's observations had expired on 26 February 2025 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 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. The letter was not downloaded by the applicant's representative.

The same warning letter was also sent to the applicant's representative by registered post on 17 June 2025. The applicant's representative received that letter on 23 June 2025. However, no response followed.

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 27 August 2026.

Viktoriya Maradudina Acting Deputy Registrar	Stéphane Pisani President