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

FOURTH SECTION

DECISION

Application no. 67079/12
Zbigniew MARTYNIAK
against Poland

The European Court of Human Rights (Fourth Section), sitting on 5 July 2016 as a Committee composed of:
Vincent A. De Gaetano, *President,*
Egidijus Kūris,
Gabriele Kucsko-Stadlmayer, *judges,*
and Andrea Tamietti, *Deputy Section Registrar,*
Having regard to the above application lodged on 1 October 2012,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Zbigniew Martyniak, is a Polish national, who was born in 1972 and lives in Żagań.

2. The Polish Government ("the Government") were represented by their Agent, Ms J. Chrzanowska, of the Ministry of Foreign Affairs.

3. The applicant complained under Article 14 of the Convention and Article 1 of Protocol No. 1 to the Convention about being paid half of the minimum statutory wage while imprisoned in the period between 1 September 2003 and 8 March 2011.

4. The applicant's complaints were communicated to the Government on 3 July 2015. The Government 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.

5. By letter dated 29 February 2016, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 18 January 2016 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 10 March 2016. 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 28 July 2016.

Andrea Tamietti
Deputy Registrar

Vincent A. De Gaetano
President