

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

FIRST SECTION

DECISION

Application no. 51382/07
Oleg Lvovich MITVOL
against Russia

The European Court of Human Rights (First Section), sitting on 12 June 2012 as a Committee composed of:

Mirjana Lazarova Trajkovska, *President*,
Anatoly Kovler,
Erik Møse, *judges*,

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 25 October 2007,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Oleg Lvovich Mitvol, is a Russian national, who was born in 1966 and lives in Moscow. He is represented before the Court by Ms S. Tikhomirova, a lawyer practising in Moscow.

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

The applicant's complaints under Article 10 of the Convention 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 14 December 2011, sent by registered post, the applicant's representative was notified that the period allowed for

submission of the observations had expired on 1 August 2011 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 letter was returned to sender for the reason that the addressee was not available at the indicated address.

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.

André Wampach
Deputy Registrar

Mirjana Lazarova Trajkovska
President