

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

THIRD SECTION

DECISION

Application no. 73250/10
Vazha MOTSONELIDZE
against Georgia

The European Court of Human Rights (Third Section), sitting on 10 July 2012 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Nona Tsotsoria, *judges,*

and Marialena Tsirli, *Deputy ection Registrar,*

Having regard to the above application lodged on 14 December 2010,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Vazha Motsonelidze, is a Georgian national, who was born in 1978 and lives in Rustavi. He was represented before the Court by Ms Ketevan Shalikashvili, a lawyer practising in Tbilisi. The Georgian Government ("the Government") were represented by their Agent, Mr Levan Meskhoradze, of the Ministry of Justice.

On 1 July 2011 the Court gave notice to the respondent Government of the applicant's complaints under Articles 3, 6 § 1 and 13 of the Convention concerning the lack of treatment for his viral hepatitis C (HCV) in prison and the inability to have access to a domestic court for his health grievances.

On 16 November 2011 the Government submitted their observations on the admissibility and merits of the application, which included detailed medical information on the applicant's state of health. Those submissions

disclosed that the applicant had started receiving the relevant anti-HCV treatment which resulted in an improvement of his state of health.

The applicant was then invited to submit his own observations in reply to those of the Government by 4 January 2012 but failed to do so.

The applicant remained silent even after the Court's reminder of 3 April 2012, with a warning that his application might be struck out under Article 37 § 1 (a) of the Convention, had been served on his representative by registered post on 13 April 2012.

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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President