

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

FIRST SECTION

DECISION

Application no. 3743/05
by Aleksandr Nikolayevich PETERIN
against Russia

The European Court of Human Rights (First Section), sitting on 5 July 2011 as a Chamber composed of:

Nina Vajić, *President,*
Anatoly Kovler,
Elisabeth Steiner,
Khanlar Hajiyev,
George Nicolaou,
Mirjana Lazarova Trajkovska,
Julia Laffranque, *judges,*

and Søren Nielsen, *Section Registrar,*

Having regard to the above application lodged on 2 December 2004,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Aleksandr Nikolayevich Peterin, was a Russian national who was born in 1959 and lived in Zvezdnyy, a town in the Khanty-Mansi Region. He was represented before the Court by Ms O. Preobrazhenskaya and Ms Y. Leontyeva, lawyers of the Centre of Assistance to International Protection 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 complained under Article 3 of the Convention about poor conditions of his pre-trial detention. He also alleged a number of violations of Article 6 during criminal proceedings against him, in particular that he had not been provided with a legal aid lawyer at the appeal hearing.

On 5 January 2010 the Court decided to give notice to the Government of the applicant's complaints.

On 29 April 2010 the Government submitted their observations on the admissibility and merits of the application. These were forwarded on 30 April 2010 to the applicant, who was invited to submit observations in reply by 2 July 2010.

By letter of 31 January 2011, the applicant's representatives informed the Court that the applicant had died and, as they had not been able to find a legal successor, his application to the Court would not be pursued.

THE LAW

The Court notes the fact that the applicant has died and no member of his family or heir has expressed a wish to continue the proceedings before this Court in his stead.

The Court considers with reference to Article 37 § 1 (a) and (c) of the Convention that, in these circumstances, it is no longer justified to continue the examination of the application. Furthermore, it finds no special circumstances regarding respect for human rights which require the continued examination of the case (contrast *Karner v. Austria*, no. 40016/98, §§ 24-28, ECHR 2003-IX). In view of the above, the Court considers it appropriate to strike the application out of its list of cases under Article 37 § 1 (c) of the Convention.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Søren Nielsen	Nina Vajić
Registrar	President