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

FIFTH SECTION

DECISION

Application no. 44427/08
Irina Ivanovna POLYAKOVA
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 14 June 2016 as a Committee composed of:

Erik Møse, *President,*
Yonko Grozev,
Mārtiņš Mits, *judges,*

and Milan Blaško, *Deputy Section Registrar,*

Having regard to the above application lodged on 1 September 2008,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Irina Ivanovna Polyakova, is a Ukrainian national, who was born in 1957 and lives in Selidove. She was represented before the Court by Mr B. Zinchenko, a lawyer practising in Selidove.

The Ukrainian Government (« the Government ») were represented most recently by their Acting Agent, Ms O. Davydchuk of the Ministry of Justice.

The applicant complained under Articles 2, 6 § 1 and 13 of the Convention that she had been denied compensation for non-pecuniary damage caused by the death of her son in an industrial accident at a State mining company.

The applicant's complaints 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 her own observations. No reply was received to the Registry's letter.

By letters dated 19 August and 29 October 2015, sent by registered post, both the applicant and her representative were notified that the period allowed for submission of her observations had expired on 30 June 2015

and that no extension of time had been requested. Their 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 the letter of 29 October 2015 on 12 November 2015. However, no response has been received from the applicant or her lawyer.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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.

Done in English and notified in writing on 7 July 2016.

Milan Blaško
Deputy Registrar

Erik Møse
President