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

THIRD SECTION

DECISION

Applications nos. 35472/20 and 49738/21
Kamen Sashev RADEV
against Bulgaria

The European Court of Human Rights (Third Section), sitting on 5 December 2024 as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications (nos. 35472/20 and 49738/21), lodged respectively on 4 August 2020 and 29 September 2021,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Radev Kamen Sashev, was born in 1969. Since he withdrew, in August 2022, his authorisation from the lawyer he had initially designated to represent him before the Court in these two applications, he was not legally represented. He had been serving a life-imprisonment sentence until April 2022 when his sentence was commuted to a 30-year imprisonment; he was released later that month.

The applicant's complaints under Article 3 of the Convention concerning inhuman or degrading treatment in the Varna Prison in the period between January 2014 and May 2017 were communicated to the Bulgarian Government ("the Government") on 13 May 2024. The applicant was invited to designate a legal representative in a letter of the same date.

By letter dated 5 August 2024, sent by registered post to the address indicated by the applicant in August 2022 as the one where he wanted any correspondence from the Court addressed to him to be sent from then on, the applicant was notified that the period allowed for submission of the requested authority form had expired on 24 June 2024 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 an application out

of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. An adult relative living at that address received that letter, which clearly specified that it was for the applicant, on 15 August 2024. However, no response has followed.

In a letter of 3 September 2024, sent to the applicant to the same address, his attention was drawn to the fact that no response had been received from him to the Registry's letter of 5 August 2024. He was warned again that the Court might strike his application out of the list of cases if the circumstances lead to the conclusion that he did not intend to pursue it. The applicant has not replied to that letter either nor made any further communication with the Court.

THE LAW

Having regard to the two applications lodged by the same applicant, the Court finds it appropriate to examine them jointly in a single decision.

In the light of the foregoing, the applicant may be regarded as no longer intending to pursue his two applications indicated above. In the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the applications.

Accordingly, the applications should be struck out of the Court's list of cases.

For these reasons, the Court, unanimously,

Decides to join the two applications;

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

Done in English and notified in writing on 16 January 2025.

Viktoriya Maradudina Acting Deputy Registrar	Oddný Mjöll Arnardóttir President