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

SECOND SECTION

DECISION

Applications nos. 10667/12 and 24467/12
Tamer TABAR against Turkey
and Ceyhan AKÇİN against Turkey

The European Court of Human Rights (Second Section), sitting on 28 June 2016 as a Committee composed of:

Paul Lemmens, *President,*
Ksenija Turković,
Jon Fridrik Kjølbro, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above applications lodged on 23 December 2011 and 19 March 2012 respectively,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant in the first case, Mr Tamer Tabar, is a Turkish national, who was born in 1978 and lives in Samsun He was represented before the Court by Mr L. Keskin and Mr H Özdemir, lawyers practising in Samsun.

The applicant in the second case, Mr Ceyhan Akçin, is a Turkish national, who was born in 1982 and lives in Samsun. He was represented before the Court by Mr L. Keskin, a lawyer practising in Samsun.

The Turkish Government ("the Government") were represented by their Agent.

The applicants complained under Article 5 of the Convention about the room confinement imposed on them by their military superiors as a disciplinary measure.

The applicants' complaints under Article 5 were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited

to submit their own observations. No reply was received to the Registry's letter.

By letter dated 23 March 2016, sent by registered post, the applicants' representative was notified that the period allowed for submission of their observations had expired on 11 December 2015 and that no extension of time had been requested. The applicants' 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 applicants' representative received this letter on 2 April 2016. However, no response has been received.

THE LAW

Having regard to the fact that the present applications concern the same facts and complaints and raise identical issues under the Convention, the Court decides to join them pursuant to Rule 42 § 1 of the rules of Court.

The Court considers that, in these circumstances, the applicants may be regarded as no longer wishing to pursue their applications, 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 cases.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications,

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

Done in English and notified in writing on 21 July 2016.

Hasan Bakırcı
Deputy Registrar

Paul Lemmens
President