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

SECOND SECTION

# DECISION

Application no. 72257/11
Orhan TAŞTEKİN
against Turkey

The European Court of Human Rights (Second Section), sitting on 11 October 2016 as a Committee composed of:

Valeriu Griţco, *President,*
Stéphanie Mourou-Vikström,
Georges Ravarani, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 September 2011,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

1. The applicant, Mr Orhan Taştekin, is a Turkish national, who was born in 1981 and lives in Istanbul.

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

3. Without relying on any Article of the Convention, the applicant complained that the fact that the prison in which he was detained was too far from the courthouse and that he had to travel on hearing days about three hundred kilometres in a poor air-conditioned prison service vehicle had constituted ill-treatment against him. Furthermore, the applicant complained under Article 6 of the Convention about the length of the criminal proceedings against him. Finally, without invoking any Article of the Convention the applicant also complained about the length of his detention.

4. On 8 July 2013 the applicant's complaint under Article 5 § 3 of the Convention concerning the length of detention was communicated to the Government, who submitted their observations on the admissibility and merits. On 8 November 2013 the observations were forwarded to the

applicant, who was invited to submit his own observations. No reply was received to the Registry's letter.

5. By a letter dated 24 February 2016, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 23 December 2013 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 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. However, no response has been received and the Registry's letter was returned as the applicant had moved from the address of which he had notified the Court.

## THE LAW

6. 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.

Done in English and notified in writing on 17 November 2016.

Hasan Bakırcı
Deputy Registrar

Valeriu Griţco
President