

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

FIFTH SECTION

DECISION

Application no. 1979/11
Dmitriy TIKHONOV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 1 September 2015 as a Committee composed of:

Angelika Nußberger, *President,*
Boštjan M. Zupančič,
Vincent A. De Gaetano, *judges,*

and Milan Blaško, *Deputy Section Registrar,*

Having regard to the above application lodged on 16 December 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Dmitriy Tikhonov, is a Belarusian national, who was born in 1970 and lives in Borisov, the Republic of Belarus. He was represented before the Court by Mr S.O. Pasichnyk, a lawyer practising in Dnipropetrovsk. The Ukrainian Government ("the Government") were represented by their then Agent, Mrs Nataly Sevostianova.

The applicant's complaints under Article 5 §§ 1 (f), 4 and 5 of the Convention were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit the observations on the applicant's behalf. No reply was received to the Registry's letter.

By letter dated 5 February 2015, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 17 December 2014 and that no extension of time had been requested. The applicant's 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 applicant's representative received this letter on 20 February 2015. However, no response has been received.

THE LAW

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 24 September 2015.

Milan Blaško
Deputy Registrar

Angelika Nußberger
President