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

SECOND SECTION

DECISION

Application no. 75407/10
Fehmi UZUN
against Turkey

The European Court of Human Rights (Second Section), sitting on 5 September 2017 as a Committee composed of:

Julia Laffranque, *President,*
Paul Lemmens,
Valeriu Griţco, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar*,

Having regard to the above application lodged on 14 September 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Fehmi Uzun, is a Turkish national, who was born in 1985 and lives in Eislingen, Germany.

2. The applicant's complaints concerning the alleged excessive length of his pre-trial detention, as well as the lack of an effective legal mechanism to challenge his continued detention were communicated to the Turkish Government ("the Government"), who were represented by their Agent.

3. By a letter dated 11 April 2017, sent by registered post, the applicant was asked to inform the Court about the latest developments in the criminal proceedings against him and about the date of his release from detention on remand. On 1 June 2017, this letter returned to the Court as the applicant did not take it from the post office, although he had been duly informed.

THE LAW

4. Rule 47 § 7 of the Rules of Court reads:

> "Applicants shall keep the Court informed of any change of address and of all circumstances relevant to the application."

5. Article 37 § 1 of the Convention, in so far as relevant, provides:

> "1. The Court may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to the conclusion that
>
> (a) the applicant does not intend to pursue his application; ...
>
> However, the Court shall continue the examination of the application if respect for human rights as defined in the Convention and the Protocols thereto so requires."

6. The Court reiterates that an applicant's failure to submit written observations on the admissibility and merits of the case or other information or documents requested by the Court may warrant the conclusion that he or she does not intend to pursue the application (see, *inter alia, Perek v. Poland* (dec.), no. 37021/05, 9 September 2008, and *Ay v. Germany* (dec.), no. 12851/12, 23 September 2014).

7. In view of the foregoing, the Court considers that the applicant must 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.

8. Therefore, 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 28 September 2017.

Hasan Bakırcı	Julia Laffranque
Deputy Registrar	President