

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

FOURTH SECTION

DECISION

Application no. 2774/05
by Robert ZAWADZKI
against Poland

The European Court of Human Rights (Fourth Section), sitting on 23 August 2011 as a Chamber composed of:

Nicolas Bratza, *President,*
Lech Garlicki,
Ljiljana Mijović,
Sverre Erik Jebens,
Päivi Hirvelä,
Ledi Bianku,
Vincent A. De Gaetano, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 27 December 2004,

Having deliberated, decides as follows:

THE PROCEDURE

The applicant, Mr Robert Zawadzki, is a Polish national who was born in 1969 and lives in Warszawa. The Polish Government ("the Government") were represented by their Agent, Mr J. Wołąsiewicz of the Ministry of Foreign Affairs.

The applicant complained under Article 6 of the Convention that he had been deprived of access to the Supreme Court.

The applicant's complaint was communicated to the Government, who subsequently informed the Registry that they accepted the Registrar's friendly-settlement proposal and submitted a signed declaration to that

effect. The Government's declaration was forwarded to the applicant. No reply was received to the Registry's letter.

By letters dated 3 June 2010 and 11 April 2011, the latter sent by registered post, 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.

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.

Fatoş Aracı
Deputy Registrar

Nicolas Bratza
President