



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

FIRST SECTION

DECISION

Application no. 33198/08
Nikolay Tarasovich BYCHKOV
against Russia

The European Court of Human Rights (First Section), sitting on 3 July 2012 as a Committee composed of:

Linós-Alexandre Sicilianos, *President*,

Anatoly Kovler,

Erik Møse, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 10 April 2008,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Nikolay Tarasovich Bychkov, is a Russian national, who was born in 1938 and lives in Saratov. He is represented before the Court by Ms V. Ugrusheva, a lawyer practising in Saratov.

The Russian Government (“the Government”) were represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Articles 3 and 13 of the Convention that he had been subjected to ill-treatment by police officers during his arrest and detention at the sobering-up centre on 14 November 1998.

The application was communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry’s letter.

By letter dated 18 January 2012 sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 1 December 2011 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 8 February 2012. 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.

André Wampach
Deputy Registrar

Linos-Alexandre Sicilianos
President