



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

FIRST SECTION

DECISION

Application no. 21302/10
Dmitriy Vitalyevich ZUYEV
against Russia

The European Court of Human Rights (First Section), sitting on 22 October 2013 as a Committee composed of:

Khanlar Hajiyev, *President*,

Erik Møse,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 5 March 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Dmitriy Vitalyevich Zuyev, is a Ukrainian national, who was born in 1983 and until his arrest lived in the Kurgan Region, Russia.

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, *inter alia*, under Article 5 §§ 1 (f) and 4 of the Convention about unlawfulness of his detention pending extradition to Ukraine and lack of an effective procedure for its judicial review.

On 22 May 2012 the applicant’s complaints were communicated to the Government.

Following receipt of the Government’s observations on the admissibility and merits, partly acknowledging the alleged violations, on 19 September 2012 the applicant was invited to submit, by 21 November 2012, his observations in reply.

On 17 October 2012 the English version of the Government's observations was forwarded to the applicant. The time-limit for the submission of the applicant's observations remained unaffected.

As the applicant's observations on the admissibility and merits had not been received by 21 November 2012, on 13 March 2013 the Court sent a letter by registered mail to the applicant, advising him that the failure to submit the observations might result in the strike-out of the application. However, no response was 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

Khanlar Hajiyev
President