



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

FIRST SECTION

DECISION

Application no. 14895/09
Andrey Vasilyevich NEKRASOV
against Russia

The European Court of Human Rights (First Section), sitting on 26 November 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 2 February 2009,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Andrey Vasilyevich Nekrasov, is a Russian national, who was born in 1973 and lives in Zarechye. At the time of lodging of the complaint the applicant was serving his custodial sentence in correctional colony IK-3 situated in Velikiy Ustyug in the Vologda Region, and listed it as his contact address.

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 Article 3 of the Convention that the conditions of his pre-trial detention had been inhuman and degrading. He also alleged, with reference to Article 6, that he was not provided with legal assistance before the appeal court. His latest letter to the Court, sent from the colony, was dated 15 September 2009.

The applicant’s complaints were communicated to the Government, who on 23 May 2013 informed the Court of further developments in the applicant’s case. By letter dated 11 June 2013 these submissions were

forwarded to the applicant, who was invited to submit his claims for just satisfaction by 13 August 2013.

On 29 July 2013 the Registry received back its letter of 11 June 2013. Attached was a note whereby the administration of the colony informed the Court that on 5 May 2013 the applicant, upon completion of his sentence, was released.

The applicant sent his last letter to the Court on 15 September 2004. Although the applicant knew that he had the obligation to inform the Court of any change in his address and about any major developments regarding his case, he neither informed the Court that he was released nor provided it with his new address.

THE LAW

According to Article 37 § 1 of the Convention, 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 Court considers that the applicant's failure to inform the Registry about the developments in his case, the change of his address, and the absence of any correspondence from him for nearly four years, indicate that he has lost interest in the complaint, 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