



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

FIRST SECTION

DECISION

Application no. 30146/04
Lidiya Aleksandrovna LOKTEVA
against Russia

The European Court of Human Rights (First Section), sitting on 15 April 2014 as a Committee composed of:

Khanlar Hajiyev, *President*,

Julia Laffranque,

Erik Møse, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 25 June 2004,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Lidiya Aleksandrovna Lokteva, is a Russian national, who was born in 1955 and lives in Mirnyy, the Sakha (Yakutiya) Republic. The Russian Government (“the Government”) were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Article 6 of the Convention and Article 1 of Protocol No. 1 that a domestic judgment of 27 March 2003 in her favour, as upheld on appeal on 28 April 2003, had not been enforced.

The applicant’s non-enforcement complaint was communicated to the Government, who submitted their observations on the admissibility and merits. They pointed, in particular, to the applicant’s failure to inform the Court of the quashing of the impugned judgment on 16 December 2004. The applicant submitted in reply that she maintained the case, without providing any further details. In accordance with the pilot judgment *Burdov v. Russia (no. 2)* (no. 33509/04, ECHR 2009), in 2009 the application was adjourned pending its resolution at the domestic level. On 4 May 2010 the Government informed the Court that the impugned judgment could not be enforced since it had been quashed in 2004. Their submissions were

forwarded to the applicant, who was invited to submit her own observations. No reply was received to the Registry's letter.

By letter dated 17 September 2010, sent by registered post, the applicant was notified that the period allowed for submission of her observations had expired on 14 June 2010 and that no extension of time had been requested. 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. The applicant received this letter on 6 October 2010. However, no response has been received by the Court.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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