



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

FIRST SECTION

DECISION

Application no. 17616/07
Valentin Mikhaylovich SHISHIKIN
against Russia

The European Court of Human Rights (First Section), sitting on 6 May 2014 as a Committee composed of:

Khanlar Hajiyeu, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 2 March 2007,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Valentin Mikhaylovich Shishikin, is a Russian national, who was born in 1950 and lived in Talitsy, Ivanovo Region. The applicant died in the course of the proceedings before the Court.

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 § 1 of the Convention that he had been unfairly convicted of a criminal offence incited by the police and that his plea of entrapment had not been properly examined in the domestic proceedings.

The applicant's complaint 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 7 October 2013, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 14 May 2013 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. However, the letter was returned as unclaimed due to the applicant's death and no heirs or relatives have expressed their wish to pursue the application on the applicant's behalf.

THE LAW

It has been the Court's practice to strike applications out of the list of cases under Article 37 § 1 of the Convention in the absence of any heir or close relative who has expressed the wish to pursue an application (see *Léger v. France* (striking out) [GC], no. 19324/02, § 44, 30 March 2009). Similarly, in the present case the applicant died in the course of the proceedings before the Court and no heirs or close relatives have expressed the wish to pursue the application on his behalf. 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