



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

THIRD SECTION

DECISION

Application no. 51543/09
Karen TARKHANYAN
against Armenia

The European Court of Human Rights (Third Section), sitting on 27 May 2014 as a Committee composed of:

Kristina Pardalos, *President*,

Alvina Gyulumyan,

Johannes Silvis, *judges*,

and Marialena Tsirli, *Deputy Section Registrar*,

Having regard to the above application lodged on 17 September 2009,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Karen Tarkhanyan, is an Armenian national, who was born in 1981 and lives in Yerevan. He is represented before the Court by Ms Z. Budaghyan, a lawyer practising in Yerevan.

2. The Armenian Government (“the Government”) are represented by their Agent, Mr G. Kostanyan, Representative of the Armenian Government at the European Court of Human Rights.

3. The applicant mainly raised complaints under Article 6 § 3 (d) and Articles 10 and 11 of the Convention about the fairness of his trial, the inability to summon witnesses on his behalf and the political motivation of his prosecution and conviction.

4. The applicant’s complaint concerning his alleged inability to summon witnesses on his behalf was communicated to the Government, who submitted their observation on the admissibility and merits.

5. On 16 July 2013 the letter containing the Government’s observations was sent to the applicant’s representative, who was invited to submit her own observations. Neither the applicant nor his representative did submit any observations. Nor did they send any notification to the registry.

6. By certified letter of 21 November 2013 the Registry informed the applicant's representative that the period allowed for submission of her client's observations had expired on 17 September 2013 and that no extension of time had been requested. On 3 January 2013 the Registry received this letter back with the mention that the applicant had changed his address.

7. The last communication of the applicant's representative with the Court was on 24 November 2009, the date on which she sent the completed application form. Although she was informed that she had the obligation to inform the Court of any change in her address, she did not provide the Court with her new address. The applicant himself has never contacted the Registry of the Court.

THE LAW

8. 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.

Mariarena Tsirli
Deputy Registrar

Kristina Pardalos
President