



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

FIFTH SECTION

DECISION

Application no. 14467/05
Valeriy Petrovich VODOTOVKA against Ukraine
and 4 other applications
(see list appended)

The European Court of Human Rights (Fifth Section), sitting on
13 March 2012 as a committee composed of:

Mark Villiger, *President*,

Ganna Yudkivska,

André Potocki, *judges*,

and Stephen Phillips, *Deputy Section Registrar*,

Having regard to the above applications lodged on various dates,

Having deliberated, decides as follows:

THE FACTS

The applications were lodged by five Ukrainian nationals (for the details, see the attached table). The Ukrainian Government (“the Government”) were represented by their Agent, Ms Valeria Lutkovska, of the Ministry of Justice.

The applicants raised various complaints under the Convention (for the details, see the attached table). Some of them also raised other complaints.

The applicants’ complaints specified in the attached table were communicated to the Government, who submitted their observations. The observations were forwarded to the applicants, who were invited to submit their own observations. However, they failed to reply.

By registered letters sent on various dates (see the attached table) the applicants were warned that their cases might be struck out of the Court’s

list of cases. In the applications nos. 41107/05, 20915/06 and 34133/07 the applicants failed to reply. In the remaining two applications the Court's warning letters were returned undelivered as the addressees were not found.

THE LAW

1. The Court considers that in accordance with Rule 42 § 1 of the Rules of Court, the applications should be joined, given their common legal and factual background.

2. It further considers that, in the light of the foregoing, the applicants may be regarded as no longer wishing to pursue their applications, 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 cases.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications;

Decides to strike the applications out of its list of cases.

Stephen Phillips
Deputy Registrar

Mark Villiger
President

| No. | Case no. /Applicant's name and date of birth | Date of lodging | Communicated complaints | Dates of the Court's warning letters |
|-----|--|-----------------|---|--------------------------------------|
| 1. | 14467/05 VODOTOVKA, Valeriy Petrovich, 1960 | 11 April 2005 | Article 3 (conditions of the applicant's detention, ill-treatment by prison authorities and lack of investigation into his complaints about the above) | 11 March 2011 |
| 2. | 41107/05 KALYABIN, Yuriy Aleksandrovich, 1954 | 2 November 2005 | Article 2 (lack of effective investigation into the alleged murder of the applicant's son and lack of access to the case file in the course of pre-investigative inquiries carried out in respect of that accident) | 10 August 2011 |
| 3. | 20915/06 KHUDAYKULIYEV, Sergey Ataniyazovich, 1969 | 17 May 2006 | Article 6 §§ 1 and 3 (c) (breach of the applicant's defence rights and unfairness of the criminal proceedings against him) | 9 September 2011 |
| 4. | 40037/06 VISLINSKIY, Vladimir Antonovich, 1960 | 25 August 2006 | Article 3 (lack of adequate medical treatment and assistance during the applicant's detention) | 5 July 2011 |
| 5. | 34133/07 SELEDTSOV, Yuriy Mikhaylovich, 1960 | 13 August 2007 | Article 3 (conditions of the applicant's detention and lack of adequate medical treatment during his detention) | 20 September 2011 |

TABLE