

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

FIFTH SECTION

DECISION

Application no. 36641/05
Aleksandr Anatolyevich ALEKSYUTIN against Ukraine
and 9 other applications
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 3 October 2024 as a Committee composed of:

Kateřina Šimáčková*, President*,
Mykola Gnatovskyy,
Artūrs Kučs*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of the applicants and the relevant details of the cases are set out in the appendix. At the time of lodging of the applications the applicants resided on the territory which is currently not controlled by the Ukrainian Government ("the Government") and where Ukrainian or international postal services do not operate.

The applicants' complaints under various Articles of the Convention (see appended table) were communicated to the Government, who submitted observations on the admissibility and merits.

The applicants were required to submit their observation in reply, as well as their just satisfaction claims, however, the contact with the applicants has been lost (see appended table for details).

THE LAW

Having regard to the similar procedural conduct of the applicants, the Court finds it appropriate to examine the applications jointly in a single decision.

The Court notes that all the available means to contact the applicants have been tried without success. The applicants did not provide the Court with any new contact information which could have allowed the Court to conduct further proceedings.

In the light of the foregoing, the Court concludes that the applicants may be regarded as no longer wishing to pursue the applications (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 the Protocols thereto which require the continued examination of the applications (see *Bryska and Others v. Ukraine* [Committee] (dec.), nos. 11706/13 and 5 others, 23 November 2023).

The Court, however, reiterates that under Article 37 § 2 of the Convention it may decide to restore an application to its list of cases if it considers that the circumstances justify such a course.

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.

Done in English and notified in writing on 24 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Kateřina Šimáčková President

APPENDIX

List of applications

No.	Application no. Introduction date	Applicant's name Year of birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
1.	36641/05 24/09/2005	**Aleksandr Anatolyevich ALEKSYUTIN** 1970	Valeriy Ivanovych DOVZHENKO	Articles 3, 6 and 13: the applicant alleged that he had been ill-treated by law-enforcement agents; that the investigation of his relevant complaints had been ineffective; that the criminal proceedings against him had been unfair and inordinately lengthy; and that there had been no effective remedies for the complaint about the length of the proceedings.	Last letter from the applicant was received on 19/10/2011. The applicant's representative failed to respond to the Registry's letters of 20/02/2024 and 22/05/2024, sent to him via the Court's Electronic Communication Service (eComms) and eventually downloaded, whereby he was (i) invited to submit observations on the admissibility and merits and (ii) his attention was drawn to the fact that failure to respond may lead to a decision to strike the application out of the Court's list. There is no possibility to contact the applicant directly, as his last known address is in a prison in an area in the Donetsk Region, which is currently outside of the control of the Ukrainian Government.
2.	1361/09 08/12/2008	**Vladimir Viktorovich NOVIKOV** 1959		Article 3: the applicant alleged that he had been ill-treated by law-enforcement agents and that the investigation of his relevant complaints had been ineffective.	Last letter from the applicant was received on 25/11/2012. The applicant, who lives in Sevastopol (Crimea), did not activate an eComms account. On 20 February 2024 the applicant, contacted by telephone, confirmed that the e-mail address used by the Registry for the eComms connection was correct. On 21/02 and 22/05/2024 the Registry's communications were re-sent via eComms. However, the applicant's eComms account remained inactivated. The Registry has not received any further correspondence from the applicant. The Registry's further attempts to contact him by telephone failed.

No.	Application no. Introduction date	Applicant's name Year of birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
3.	6714/09 09/01/2009	**Aleksandr Pavlovich VOLKOV** 1957		Article 3: the applicant alleged that he had been ill-treated by law-enforcement agents and that the investigation of his relevant complaints had been ineffective.	Last letter from the applicant was received on 02/04/2009. The applicant, whose last known address was in Sevastopol (Crimea), did not activate an eComms account. The telephone numbers indicated by him to the Court are no longer in service. The Registry has not received any follow-up correspondence in the case.
4.	17025/10 05/03/2010	**Yevgeniy Alekseyevich CHMIREV** 1958	Mikhail Aleksandrovich TARAKHKALO	Article 5 §§ 1 (c), 3 and 5: unlawful pre-trial detention, Article 6 § 1: excessive duration of the criminal proceedings against him; Article 8 § 1: unjustified interference with his correspondence while in detention.	The applicant's representative informed the Court that he had lost contact with the applicant, without specifying when.
5.	63441/10 17/09/2010	**Pavel Aleksandrovich ZAYTSEV** 1962		Articles 3 and 6: the applicant alleged that he had been ill-treated by law-enforcement agents and cellmates; that the investigation of his complaints had been ineffective; and that the length of the criminal proceedings against him was excessive.	Last letter from the applicant was received on 15/06/2012. The applicant's last known address is in Sevastopol (Crimea). He provided no email address and no telephone number for contact.
6.	8205/11 07/02/2011	**Mikhail Mikhaylovich KOSTYSHYN** 1986	Andriy Eduardovych FEDOSOV	Article 3: inadequate conditions of detention in Simferopol in 2011 and the lack of medical care	The applicant and his representative have never updated or responded to the Court's correspondence, telephone contacts were inactive, the applicant's representative left Crimea and could not be reached.

No.	Application no. Introduction date	Applicant's name Year of birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
7.	21073/12 20/03/2012	**Larisa Nikolayevna BUCHKOVSKAYA** 1991		Article 2: allegations of ill-treatment of the applicant's son by his cellmates resulting in his death.	The applicant's postal address is in Crimea. There was no contact with the applicant since 2012.
8.	189/13 12/12/2012	**Yelena Nikolayevna LESKOVA** 1955 **Anna Aleksandrovna KRIVULYA** 1975		Article 2: failure of the municipal authorities to ensure proper maintenance of the communal hallway, resulting in the death of the applicants' next-of-kin.	The applicants' postal address is in the Donetsk Region. There was no contact with the applicants since 2015.
9.	33859/13 17/05/2013	**Olena Mykolayivna NAUMOVA** 1972		Articles 6 and 8: complaints related to a paternity dispute	The applicant has last contacted the Court in 2021. She did not provide her electronic address, nor did she appoint a representative. The applicant lives in Kalanchak, the Kherson Region, which is temporarily not controlled by the Ukrainian Government. Her mobile phone number is equally not operative.
10.	62144/16 19/10/2016	**Svitlana Vasylivna ROMANYK** 1969	Ruslan Mykolayovych KARVATSKYY	Article 6 § 1: refusal to examine the applicant's appeal on points of law in a civil case regarding recovery of a bank deposit.	The applicant failed to respond to the Registry's letters of 09/10/2023 and 25/01/2024, sent to her representative via eComms and eventually downloaded, inviting the applicant to submit observations on the admissibility and merits of the application and drawing her attention to the fact that failure to do so may lead to a conclusion that she does not intend to pursue the application.