

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

FIFTH SECTION

DECISION

Application no. 24558/13
Khusnitdin Tursunaliyevich BOYDADAYEV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 20 January 2022 as a Committee composed of:

Lətif Hüseynov, *President,*
Lado Chanturia,
Arnfinn Bårdsen, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 21 March 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Khusnitdin Tursunaliyevich Boydadayev, was born in 1975. He was represented by Mr A.P. Melnikov, a lawyer practising in Yalta.

The applicant's complaints under Article 6 §§ 1 and 3 (d) of the Convention were communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. On 14 April 2021 the observations were forwarded to the applicant's representative, via the Court's Electronic Communication System ("eComms"), who was invited to submit the observations in response. The applicant's representative downloaded the letter on 20 April 2021. However, no response has followed.

By letter dated 7 October 2021 the applicant's representative was notified that the period allowed for submission of the observations had expired on 25 May 2021 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. However, no response has followed.

THE LAW

In the light of the foregoing, the Court concludes that the applicant may be regarded as no longer wishing to pursue the application (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 application.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

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

Done in English and notified in writing on 10 February 2022.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov President