

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

THIRD SECTION

DECISION

Application no. 3683/13
Mikhail Vladimirovich FELISHKAN
against Russia

The European Court of Human Rights (Third Section), sitting on 17 May 2016 as a Committee composed of:
Helen Keller, *President,*
Johannes Silvis,
Alena Poláčková, *judges,*
and Stephen Phillips, *Section Registrar,*
Having regard to the above application lodged on 4 December 2012,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Mikhail Vladimirovich Felishkan, is a Russian national, who was born in 1971 and lives in Nakhabino (Moscow region).

The Russian Government ("the Government") were represented by Mr G. Matyuskin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Articles 6 § 1 and 13 of the Convention about the failure by the national authorities to enforce final court decision in his favour, and about the lack of an effective remedy against the non-enforcement of the judgment in his favour.

On 24 November 2014 the Court decided to give notice to the Government of the applicant's complaints detailed above.

In accordance with the pilot judgment *Gerasimov and Others v. Russia* (nos. 29920/05 and 10 others, 1 July 2014), the respondent State must, *inter alia*, grant adequate and sufficient redress, within two years from the date on which the judgment becomes final, to all victims of non-enforcement or delayed enforcement of domestic judgments imposing obligations in kind

on State authorities who lodged their applications with the Court before the delivery of the *Gerasimov and Others* judgment and whose applications were communicated to the Government under Rule 54 § 2(b) of the Rules of Court (see §§ 230-31 and point 13 of the operative part of the pilot judgment). The *Gerasimov and Others* pilot judgment became final on 1 October 2014.

On 5 February 2015 the applicant informed the Court that he wished to withdraw the application.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention or its Protocols, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the 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 9 June 2016.

Stephen Phillips
Registrar

Helen Keller
President