

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

FIFTH SECTION

DECISION

Applications nos. 2308/23 and 4853/23
Oleksiy Petrovych IVASHCHENKO against Ukraine
and Stanislav Volodymyrovych ANDRUSKYY against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 11 July 2024 as a Committee composed of:

Carlo Ranzoni*, President*,
Mārtiņš Mits,
María Elósegui*, 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 is set out in the appendix.

The applicants' complaints under the Convention were communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit their own observations (see the appended table for dates and details). No reply was received by the Court.

By letters dated 15 March 2024, sent through the Court's electronic communication service (eComms) and by registered post, the applicants were notified that the period allowed for submission of their observations had expired and that no extension of time had been requested (see appended table for dates and details).

The applicants' 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. No reply followed.

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.

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.

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 5 September 2024.

Viktoriya Maradudina	Carlo Ranzoni
Acting Deputy Registrar	President

APPENDIX

List of applications raising complaints under Articles 3 and 6 § 1 of the Convention and Article 13 of the Convention

No.	**Application no.** **Case name** **Introduction date**	**Applicant's name** **Year of birth** **Place of residence**	**Representative's name**	**Complaints communicated**	**Date of the Court strike-out warning letter**
1.	2308/23 Ivashchenko v. Ukraine 26/12/2022	Oleksiy Petrovych IVASHCHENKO 1979 Kyiv	Rostyslav Mykhaylovych CHERNYAVSKYY	Articles 3 and 13 of the Convention - inadequate conditions of detention and the lack of any effective remedy in domestic law.	15/03/2024 (by eComms)
2.	4853/23 Andruskyy v. Ukraine 29/12/2022	Stanislav Volodymyrovych ANDRUSKYY 1982 Dnipro		Articles 6 § 1 of the Convention - lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings.	15/03/2024 (by registered post)