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

FIFTH SECTION

DECISION

Applications nos. 58651/15 and 13355/20
Ivan Valeriyovych KOBYUK against Ukraine
and Valentyn Ivanovych KUTSAN 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, their Convention complaints, and modalities by which the Registry attempted to contact them, with a view to establishing whether they wished to pursue their applications, after the beginning of the military attack launched by the Russian Federation on 24 February 2022, is set out in the appendix.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

In the light of the impossibility to establish contact with the applicants, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, 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 applications (see *Bryska and Others v Ukraine* [Committee] (dec.), nos. 11706/13 and 5 others,

2 November 2023 and *Zhadan and Others v Ukraine* [Committee] (dec.), no. 29283/13 and 26 others, 14 December 2023).

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

The Court 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.

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 Acting Deputy Registrar	Carlo Ranzoni President

APPENDIX

List of applications

No.	Application no. Case name Introduction date	Applicant's name Year of birth Place of residence	Last letter from the applicant received	Main complaints raised	Reasons for a strike-out decision
1.	58651/15 Kobyk v. Ukraine 15/11/2015	**Ivan Valeriyovych KOBYUK** 1987 Kyiv	16/02/2022	Articles 6, 8, 13 and Article 1 of Protocol No. 1: the applicant complained that the criminal proceedings against him were unfair; that his home had been unlawfully and unfairly searched; that there had been unlawful and unfair interference with his possessions; and that he had no effective domestic remedies for his Convention complaints.	The applicant did not respond to the Registry's letters sent by email on 9 December 2022 and 12 January 2024 inviting him to inform the Court whether he supported his application and, if so, to activate an eComms account. He also did not respond to numerous telephone calls by the Registry. On 22 March 2024 the Registry's letter of 12 January 2024 sent to the applicant by registered post returned as "unclaimed".
2.	13355/20 Kutsan v. Ukraine 28/02/2020	**Valentyn Ivanovych KUTSAN** 1993 Kyiv	28/02/2020	Articles 6 and 8: the applicant complained that a court decision allowing a request by a law-enforcement authority to have him undergo a buccal swab with a view to checking his possible involvement in a crime had been neither lawful nor fair.	In the course of 2023, the applicant, who provided no email address for correspondence, failed to respond to numerous telephone calls. On 29 February 2024 the Registry's letter of 12 January 2024 sent to the applicant by registered post returned as "unclaimed".