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

FIFTH SECTION

DECISION

Application no. 36205/15
Vadym Volodymyrovych KRATOV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 19 September 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 application lodged on 17 July 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Vadym Volodymyrovych Kratov, was born in 1979. He was represented by Mr I. Starosta, a lawyer practising in Kyiv.

The applicant's complaint under Article 1 of Protocol No. 1 concerning the disproportionate sanction for a breach of custom rules was communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit observations on the applicant's behalf. No reply was received to the Registry's letter.

By letter dated 26 October 2023, sent through the Court's Electronic Communication Service (eComms), the applicant's representative was notified that the period allowed for submission of his observations on behalf of the applicant had expired and that no extension of time had been requested. The representative's 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. The applicant's representative downloaded that letter on the same day, 26 October 2023. However, no response has been received.

The Court's letter dated 14 March 2024, sent by registered post to the applicant's address, returned undelivered.

With this, the Court has no other possibility to reach the applicant. The applicant himself has never contacted the Court.

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 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 application.

Accordingly, the case 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 strike the application out of its list of cases.

Done in English and notified in writing on 10 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Kateřina Šimáčková President