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

FIFTH SECTION

DECISION

Application no. 64510/12
Volodymyr Mykhaylovych KUDLA against Ukraine
and 9 other applications
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 3 October 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 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 various Articles of the Convention (see appended table) were communicated to the Ukrainian Government, which submitted observations on the admissibility and merits.

The applicants were required to submit their observations in reply, as well as their just satisfaction claims, however, the contact with the applicants has been lost (see appended table for 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 response 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.

The Court notes that all the available means to contact the applicants have been tried without success. The applicants did not provide the Court with any new contact information which could have allowed the Court to conduct further proceedings.

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 (see *Bryska and Others v. Ukraine* [Committee] (dec.), nos. 11706/13 and 5 others, 23 November 2023).

The Court, however, 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.

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 24 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Kateřina Šimáčková President

APPENDIX

List of applications

No.	Application no. Introduction date	Applicant Year of Birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
1.	64510/12 26/09/2012	**Volodymyr Mykhaylovych KUDLA** 1986	Ruslan Mykolayovych KARVATSKYY	The applicant's complaints under Article 6 § 1 of the Convention concern a refusal to examine his appeals against the judgment of the Tysmenytsya Town Court of 8 July 2012 allowing a claim of a credit union for the recovery of the applicant's debt. The appeals were dismissed as inadmissible by the final decision of the Higher Specialised Court of Civil and Criminal Matters on 7 July 2012 for his failure to pay a court fee.	After communication, the applicant's representative failed to respond to the Registry's letters of 3 May and 17 October 2023, sent to him through the Court's Electronic Communication Service (eComms) and eventually downloaded, by which he had been invited to submit observations on the admissibility and merits of the application. His attention had been drawn to the fact that failure to do so may lead to a conclusion that the applicant does not intend to pursue the application.
2.	24667/14 23/03/2014	**Sergiy Mykolayovych YALOVENKO** 1961	Artem Anatoliyovych SUBOTA	The case concerns the applicant's complaints under Article 1 of Protocol No. 1, about his inability to use a hostel, mainly to rent it out for profit from the time when he bought it in 2010 and until when he sold it in 2018. This was due to the fact that residents registered in the hostel long before November 2010 could not be evicted without being provided with alternative accommodation.	After communication of the case, by letters of 6 October 2023 and 19 January and 15 April 2024, sent to the applicant and his representative, both residing in Kharkiv, initially through eComms and later by registered mail (according to the post, delivered to the applicant on 23 May 2024), the Registry invited them to submit observations on the admissibility and merits of the application. Their attention was drawn to the fact that failure to do so could lead to a conclusion that the applicant did not intend to pursue the application. The applicant and his representative failed to respond to those letters. The Registry's further attempts to contact the applicant and his representative, using the telephone numbers which they had indicated previously, were futile.

No.	Application no. Introduction date	Applicant Year of Birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
3.	27876/14 01/04/2014	**Andriy Boryslavovych VELYCHKO** 1979		The applicant's complaints under Article 1 of Protocol No. 1 concern deprivation of his land following court proceedings which terminated with the final decision of the Higher Specialised Court of Civil and Criminal Matters on 1 November 2013.	After communication, the applicant, who was not represented in the proceedings, failed to respond to the Registry's letters of 6 April 2022 and 15 April 2024, sent to him by ordinary and registered mail (delivered to the applicant on 17 May 2024), by which he had been invited to appoint a representative and to submit observations on the admissibility and merits of the application. The applicant's attention was drawn to the fact that failure to do so may lead to a conclusion that he does not intend to pursue the application. The applicant did not provide an electronic address for communication with the Court. The Registry's attempts to contact him using the telephone number, which the applicant had indicated previously, were futile.
4.	60757/14 13/09/2014	**Tatyana Olegovna UKRAINETS** 1984		The applicant complained under Article 6 § 1 and Article 13 of the Convention, as well as Article 1 of Protocol No. 1, about confiscation of the matrimonial property following the criminal conviction of her husband.	On 16 September 2022 the applicant's complaints were communicated to the Ukrainian Government. On the same date the Registry informed the applicant of the aforementioned via eComms and instructed her to appoint a legal representative by 14 November 2022. The applicant did not download the Registry's letter. On 8 March 2023 the Government's observations were forwarded to the applicant through eComms. She was invited to submit her own observations by 19 April 2023. As indicated in the eComms history, the applicant downloaded that letter. No reply, however, followed. By a registered letter dated 5 April 2024 the Registry sent the applicant a paper copy of its letter of 16 September 2022 (see above) and set a new time-limit for her to appoint a legal representative, by 17 May 2024. The applicant'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. This letter returned to the Registry undelivered on 26 June 2024 as not having been collected from the post office (unclaimed).
5.	12358/15 21/02/2015	**Roman Anatoliyovych VARAVA** 1985	Leonid Yevgeniyovych NECHAYEV	The case concerns the applicant's complaints under Article 6 §§ 1 and 3 (c) of the Convention about alleged breach of his right to a	The case was communicated, and the Government submitted their observations. On 15 February 2022 they were sent to the applicant's lawyer, who resides in Kryvyi Rih in the Dnipropetrovsk region, and he was invited to comment and to submit claims for just satisfaction by 29 March 2022. On 1 September 2022 the applicant was given a new time-limit to submit

No.	Application no. Introduction date	Applicant Year of Birth	Representative's name	Main complaints raised	Reasons for a strike-out decision
				lawyer in criminal proceedings against him.	observations and claims for just satisfaction, until 3 November 2022. On 6 October 2022 the applicant's lawyer downloaded from eComms all the correspondence from the Court, including the communication letters and the letter of 1 September 2022 setting the new time-limit. No reply followed. The Registry repeatedly attempted to call the applicant and his lawyer using phone numbers mentioned in the application form but there was no response and the numbers appeared to be no longer in service. On 30 April 2024 a reminder that the time-limit had been missed, with a strike-out warning, was sent by post and via eComms. No reply followed. There has been no communication from the applicant in this case since he had lodged the application in February 2015.
6.	33088/15 31/07/2015	**Mykola Sergiyovych TKACH** 1951		The applicant complained under Article 6 § 1 of the Convention about the decision of the Higher Administrative Court of 9 June 2015 refusing to examine, for his failure to pay a court fee, the applicant's cassation appeal against the decisions of the Zhytomyr Regional Administrative Court of Appeal of 8 April 2015 and the Korosten Town Court of 10 February 2015 regarding his claim for salary arrears.	After communication, the applicant, who was not represented, failed to respond to the Registry's letters of 12 October 2023 and 18 April 2024, sent to him by ordinary and registered mail (delivered to the applicant on 31 May 2024), inviting him to submit observations on the admissibility and merits of the application and drawing his attention to the fact that failure to do so may lead to a conclusion that he does not intend to pursue the application. The applicant did not provide an electronic address for communication with the Court. In 2023 the Registry's attempts to contact him using the telephone numbers, which the applicant had indicated previously, were futile.
7.	27358/16 29/04/2016	**Larysa Oleksiyivna CHEREDNICHENKO** 1973		The applicant complained under Article 6 § 1 of the Convention and Article 1 of its Protocol No. 1 that the Supreme Court of Ukraine had quashed a judgment in her favour in breach of the principle of legal certainty, which had also resulted in that she had been allegedly	The case was communicated to the respondent Government on 15 February 2024. They submitted observations on 12 July 2024. The applicant was also asked to appoint, by 6 May 2024, an "advocate" before the Court. However, the relevant letter of the Court, sent by eComms, was not downloaded by the applicant. The Registry's numerous attempts to reach her by phone were unsuccessful. It is also impossible to reach the applicant by post since she lives on the temporarily occupied territories of Ukraine where active hostilities are ongoing and postal services are not available.

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				unlawfully and disproportionately deprived of her possessions.	
8.	43251/16 13/07/2016	**Roman Ivanovich GLAZKOV** 1992	Sergey Sergeevich MEDVEDEV	The applicants complained under Article 5 § 3 of the Convention that their pre-trial detention for national security-related offences was not justified.	The cases were communicated, and the Government submitted their observations. On 15 February 2022 the Government's observations were sent to the applicants' lawyer, who resides in the Vinnytsya region, and he was invited to comment and to submit claims for just satisfaction by 7 January 2022. On 28 September 2022 a letter reminding him that the time-limit had expired and containing a strike out warning was sent to the lawyer by eComms. No reply followed. A new time-limit to submit observations in those two cases was set on 18 November 2022; the applicants were given until19 December 2022, to submit observations and claims for just satisfaction. Since no response followed, a letter containing a strike out warning was sent on 18 April 2024. On the same day the lawyer downloaded it from eComms, along with all other correspondence from the Court sent since 2022. No reply followed. The applicants did not contact the Court since 2016, when they had lodged their applications.
9.	43253/16 10/07/2016	**Artur Viktorovich BURCHENKOV** 1996			
10.	20722/18 24/04/2018	**Anton Mykhaylovych TURENKO** 1991	Oleg Igorovych VEREMIYENKO	The applicant's complaints under Articles 3, 11 and 13 of the Convention concern inhuman or degrading treatment, freedom of peaceful assembly, and a lack of effective remedy.	The applicant's complaints were communicated to the Ukrainian Government, which submitted their observations on the admissibility and merits on 31 January 2024. By a letter dated 7 February 2024, the Government's observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to that letter. By a letter dated 22 May 2024, sent via eComms, the applicant was notified that the period allowed for submission of his observations had expired on 3 April 2024 and that no extension of time had been requested. The applicant's representative was invited to submit his written observations on behalf of the applicant, together with any claims for just satisfaction, by a new deadline (3 July 2024). The applicant's representative received and downloaded that letter on 23 May 2024. However, no response followed.