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

FIFTH SECTION

DECISION

Application no. 28141/20
Tetyana Vasylivna KUDRYAVTSEVA
and Yuriy Georgiyovych KUDRYAVTSEV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 1 February 2024 as a Committee composed of:

Carlo Ranzoni*, President*,
Mattias Guyomar,
Mykola Gnatovskyy*, judges*,

and Martina Keller, *Deputy Section Registrar,*

Having regard to the above application lodged on 12 March 2020,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicants, Ms Tetyana Vasylivna Kudryavtseva and Mr Yuriy Georgiyovych Kudryavtsev, are Ukrainian nationals who were born in 1980 and 1977 respectively and lived in Kryvyy Rih. They were represented before the Court by Ms O. Ragozina, a lawyer practising in that town.

2. The applicants' complaints under Articles 6 and 8 of the Convention concerning the placement of their biological and foster children into public care in 2017 and the allegedly excessive length of the related court proceedings were communicated to the Ukrainian Government ("the Government") represented by their Agent, Ms M. Sokorenko, of the Ministry of Justice.

3. On 6 April 2023 the Registry sent a letter to the applicants' lawyer through the Court's Electronic Communications Service (eComms) inviting her to inform the Court of any developments in the domestic proceedings at issue and to provide copies of the relevant court decisions and the parties' appeals. The applicants' lawyer failed to respond to that letter by the time-limit set – 6 June 2023. Nor did she reply to the Registry's letter of 4 July

2023 which was also sent to the applicants' lawyer through eComms and eventually downloaded, reminding her that she had failed to provide information requested by the Court and drawing her attention to the fact that failure to do so may lead to a conclusion that the applicants do not intend to pursue the application.

THE LAW

4. The Court considers that, in these circumstances, the applicants may be regarded as no longer wishing to pursue their application, within the meaning of 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 its Protocols which require the continued examination of the case. 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.

5. In view of the above, it is appropriate to strike the case 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 22 February 2024.

Martina Keller Deputy Registrar	Carlo Ranzoni President