

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

FIFTH SECTION

DECISION

Application no. 61535/19
Ivan Sergiyovych MELNYK
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 9 December 2021 as a Committee composed of:

Lətif Hüseynov, *President,*
Lado Chanturia,
Arnfinn Bårdsen, *judges,*

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 20 August 2019,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Ivan Sergiyovych Melnyk, was born in 1992. He was represented by Ms G.V. Ovdiyenko, a lawyer practising in Kharkiv, Ukraine.

The applicant's complaints under Articles 3 and 13 of the Convention concerning the inadequate conditions of detention and the lack of any effective remedy in domestic law were communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. The Government informed the Court that the applicant had died on 10 December 2019 and provided a certificate signed by a representative of the prison in this respect. The observations were sent for comments to the applicant's representative, but she did not comment on this specific issue.

By letter dated 7 July 2021, sent by registered post, the applicant's representative was again requested to provide comments in this regard, by 4 August 2021. In particular, she was asked whether the applicant had any legal heir wishing to pursue the proceedings in the present case before the Court. According to the postal tracking system she received this letter on 27 July 2021. However, no response has followed.

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.

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 13 January 2022.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov President