

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

FIFTH SECTION

DECISION

Application no. 13623/15
Oleg Vladimirovich NIKITIN against Ukraine
and 4 other applications
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 27 June 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 is set out in the appendix.

The applicants' complaints under the Convention were communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit their own observations (see the appended table for the relevant dates). No reply was received by the Court.

By letters dated 23 January and 15 March 2024, sent through the Court's electronic communication service (eComms) and by registered post, the applicants were notified that the period allowed for submission of their observations had expired and that no extension of time had been requested.

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 reply followed.

THE LAW

Having regard to the similar procedural conduct of the applicant party, the Court finds it appropriate to examine the applications jointly in a single decision.

The Court observes that the applicant in application 13623/15 died and that his heir did not contact the Court or responded to its letters, thus demonstrating no interest in pursuing the proceedings on behalf of the late applicant. As regards the remaining applicants, the Court concludes that they 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.

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 18 July 2024.

Viktoriya Maradudina Acting Deputy Registrar	Carlo Ranzoni President

APPENDIX

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name	Complaints communicated	Date of sending Government's observations to the applicant	Date of the Court strike-out warning letter
1.	13623/15 10/03/2015	**Oleg Vladimirovich NIKITIN** 1952 Died in 2016 Heir Marina Olegovna LVOVA	Oleg Petrovich BONDAR	Art. 5 (1) – detention not covered by any judicial order	04/10/2023, when the Registry requested the applicant's heir to comment on the Government's submissions.	23/01/2024 (by eComms)
2.	43242/18 31/08/2018	**Oleksiy Vitaliyovych TORYANYK** 1989		Art. 6 § 1 - lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings	15/05/2023	15/03/2024 (by registered post)
3.	12830/19 21/02/2019	**Volodymyr Fedorovych KOLOSOV** 1970		Art. 5 (4) - excessive length of judicial review of detention.	18/11/2021	
4.	8090/21 20/01/2021	**Vyacheslav Yuriyovych OPALENYK** 1977		Art. 6 § 1 - lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings	15/05/2023	
5.	57879/21 04/11/2021	**Iryna Volodymyrivna SUPRUN** 1985	Inna Viktorivna TUTA	Art. 6 and 13 - about the excessive length of civil proceedings and the lack of any effective remedy in domestic law.	03/10/2023	23/01/2024 (by eComms)