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

THIRD SECTION

DECISION

Applications nos. 30125/06 and 42270/13
Aleksandr Anatolyevich NIKULIN against Russia
and Aleksey Aleksandrovich BEREZIN against Russia

The European Court of Human Rights (Third Section), sitting on 5 January 2017 as a Committee composed of:

Branko Lubarda, *President,*
Pere Pastor Vilanova,
Georgios A. Serghides, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above applications lodged on 5 June 2006 and 18 May 2013 respectively,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant in case no. 30125/06, Mr Aleksandr Anatolyevich Nikulin, is a Russian national, who was born in 1972 and lives in Alekseevskiy.

The applicant in case no. 42270/13, Mr Aleksey Aleksandrovich Berezin, is a Russian national, who was born in 1973 and lives in Sosonovka.

The Russian Government ("the Government") was represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicants complained under Article 3 of the Convention about the lack of requisite medical assistance, under Article 13 about the lack of an effective remedy to complain about poor medical assistance and under Article 5 § 3 about the length of their pre-trial detention.

The applications were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit their observations in reply. No reply followed.

By letters dated 22 July 2016, sent by registered post, the applicants were notified that the period allowed for submission of their observations had expired on 9 November 2015 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 a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The letter to Mr Nikulin was delivered on 13 August 2016 and letter to Mr Berezin on 9 September 2016. However, no response has been received.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court considers that the applicants may be regarded as no longer wishing to pursue their applications, 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 cases.

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 26 January 2017.

Fatoş Aracı
Deputy Registrar

Branko Lubarda
President