

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

FIFTH SECTION

DECISION

Application no. 15691/10
Dmitriy Vladimirovich OLKHOVSKIY
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 20 January 2022 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 3 March 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Dmitriy Vladimirovich Olkhovskiy, was born in 1973 and lives in Donske, Donetsk region. He was represented by Mr M. Tarakhkalo, a lawyer practising in Kyiv.

The applicant's complaints under Article 3 and Article 5 §§ 1 and 5 of the Convention and Article 1 of Protocol No. 1 to the Convention concerning his arrest by the police, alleged ill-treatment, and seizure and failure to return his belongings; his complaints under Article 8 of the Convention and Article 1 of Protocol No. 1 concerning a search in his premises and seizure of his property by the Security Service; as well as his complaints under Article 13 about the absence of an effective domestic remedy were communicated to the Ukrainian Government ("the Government"). The Government informed the Court that they could not provide observations since the relevant domestic case file had remained in the court situated in the territory in the East of Ukraine outside their control.

In that connection, on 6 June 2017 the Court decided to adjourn the examination of the case until further notice.

On 13 June 2018 the applicant, without providing any details, informed the Registry that he wanted to withdraw the application because of the

"continuous pressure [which] the Ukrainian authorities [exerted on him] in connection with this application".

On 18 June 2018 the Registry transmitted that information to the Government and to the applicant's lawyer, Mr M. Tarakhkalo. No further correspondence has followed from either party since June 2018.

THE LAW

In the light of the foregoing, the Court concludes that the applicant may be regarded as no longer wishing to pursue the application (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 application.

Accordingly, the case should be struck out of the list. In reaching this conclusion, the Court has taken into account its competence under Article 37 § 2 of the Convention to restore the case to its list of cases if it considers that the circumstances justify such a course.

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 10 February 2022.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov President