

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

FIFTH SECTION

DECISION

Application no. 273/06
Feofan Akimovich SALYUK and Valentina Fedorovna SALYUK
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 26 March 2013 as a Committee composed of:

Angelika Nußberger, *President,*
Ganna Yudkivska,
André Potocki, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 December 2005,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Feofan Akimovich Salyuk and Mrs Valentina Fedorovna Salyuk, are Ukrainian nationals, who were born in 1947 and 1948, respectively, and live in Odessa.

The applicants were represented by Ms Yelena Feofanovna Salyuk. The Ukrainian Government ("the Government") were represented by their Agent, Mr Nazar Kulchytskyy, of the Ministry of Justice.

The applicants essentially complained about the unfairness of criminal proceedings against them and the unlawfulness of secret surveillance in their respect.

Notice of the application was given to the Government, who submitted their observations on the admissibility and merits of the case. By a letter of 24 July 2012, the applicants were invited to submit their observations in reply together with their just satisfaction claims. However, they failed to do

so. They also failed to respond to a registered letter dated 4 December 2012 warning the applicants of the possibility that their case might be struck out of the Court's list.

The Court also notes that the applicants have not communicated with the Court since March 2006.

THE LAW

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.

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.

Stephen Phillips
Deputy Registrar

Angelika Nußberger
President