

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

FIFTH SECTION

DECISION

Applications nos. 10242/15 and 10928/20
Mykola Petrovych ZUBACHYK against Ukraine
and Oleksandr Lavrentiyovych BAKANOV against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 6 February 2025 as a Committee composed of:

Diana Sârcu*, President*,
Kateřina Šimáčková,
Mykola Gnatovskyy*, 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 various Articles of the Convention (see appended table) were communicated to the Ukrainian Government, which submitted observations on the admissibility and merits.

As part of the procedural requirements, the applicants were asked to appoint representatives before the Court. However, no response was received. They were subsequently reminded, and the deadline for their response was extended (see appended table for details).

By letters sent through the Court's Electronic Communication Service (eComms) and by registered post, the applicants were notified that the period allowed for submission of the requested information had expired and that no extension of time had been requested (see appended table for dates and details). 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 applicants, the Court finds it appropriate to examine them jointly in a single decision.

The Court reiterates that, according to its practice, failure to comply with the requirement of proper legal representation, as defined in Rule 36 §§ 2 and 4, may result in the discontinuation of the proceedings (compare, *inter alia, Grimaylo v. Ukraine* (dec.), no. 69364/01, 7 February 2006, and *R.W. v. the Netherlands* (dec.), no. 37281/05, 14 September 2010).

The Court notes that the applicants were repeatedly asked to designate a representative in the proceedings before it. However, they did not comply with the Court's request. No authority form was sent to the Court, and no one replied to its letters. The applicants' failure to comply with the Court's instruction and to reply to the Court's letters may be seen as an indication that they no longer wish to pursue their applications within the meaning of Article 37 § 1 (a) of the Convention. 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 applications.

Accordingly, the cases should be struck 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 6 March 2025.

Viktoriya Maradudina	Diana Sârcu
Acting Deputy Registrar	President

APPENDIX

List of applications

No.	Application no. Introduction date	Applicant Year of Birth	Complaints communicated	Date of Court's Letter / Reminder	Date of the Court strike-out warning letter
1.	10242/15 19/02/2015	**Mykola Petrovych ZUBACHYK** 1988	Article 6 §§ 1 and 3 (c) of the Convention – unfair trial in criminal proceedings.	06/05/2024 (by post)	24/10/2024 (by registered post) – received on 16/11/2024
2.	10928/20 17/02/2020	**Oleksandr Lavrentiyovych BAKANOV** 1940	Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 – non-enforcement of a final judgment.	23/10/2023 (by the Court's Electronic Communication Service (eComms)) - downloaded 23/02/2024 (by eComms) -downloaded, 17/04/2024 (by eComms) - downloaded	30/09/2024 (by registered post) – returned to the Court as unclaimed