



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

FIRST SECTION

DECISION

Application no. 33539/05
Sergey Nikolayevich SOBAKAR against Russia
and 3 other applications
(see list appended)

The European Court of Human Rights (First Section), sitting on 3 July 2012 as a Committee composed of:

Peer Lorenzen, *President*,

Elisabeth Steiner,

Julia Laffranque, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above applications lodged on various dates listed in the appendix,

Having deliberated, decides as follows:

THE FACTS

The applicants are four Russian nationals. Their names, dates of birth and places of residence are tabulated in the appendix. The Russian Government (“the Government”) were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

The facts of the case, as submitted by the parties, may be summarised as follows.

The applicants complained under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 about non-enforcement of the final domestic court judgments granting their claims against municipal unitary enterprises, commercial companies enjoying the right of economic control over its

property. A list of the respective domestic judgments is set out in the appendix.

On 20 May 2011 the Court communicated the applicants' complaints to the respondent Government under Rule 54 § 2 (b) of the Rules of Court.

By letters of 21 September 2011 the applicants were invited to submit, by 23 November 2011, their comments on the Government's observations, together with any claims for just satisfaction. The applicants did not reply.

By letters dated 20 January 2012 sent by registered post, the applicants were notified that the period allowed for submission of the observations had expired on 23 November 2011 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 applicants do not intend to pursue the application. No responses followed.

THE LAW

1. Given that the applications at hand concern similar complaints and raise identical issues under the Convention, the Court decides to consider them in a single decision.

2. Having regard to the correspondence with the applicants, the Court finds that they 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.

André Wampach
Deputy Registrar

Peer Lorenzen
President

APPENDIX

| No | Application No | Lodged on | Applicant Date of birth Place of residence | Final domestic judgments (dates, courts) |
|-----------|-----------------------|------------------|---|---|
| 1. | 33539/05 | 23/08/2005 | Sergey Nikolayevich SOBAKAR 19/06/1956 Miass | 17/02/2004 and 04/03/2005, Justice of the Peace of the 30th Court Circuit of the Tavrisheskiy District of the Omsk Region; 05/08/2004; Justice of the Peace of the 29th Court Circuit of the Tavrisheskiy District |
| 2. | 42460/05 | 30/09/2005 | Olga Nikolayevna VLADYKA 28/05/1955 Petrozavodsk | 14/04/2004; Petrozavodsk Town Court of the Karelia Republic |
| 3. | 13691/09 | 04/01/2009 | Natalya Borisovna LOBOVA 09/05/1966 Belgorod | 17/08/2004; Oktyabrskiy District Court of Belgorod, the Belgorod Region |
| 4. | 65268/09 | 22/11/2009 | Valentina Leontyevna BELIKOVA 10/11/1946 Paratunka | 12/02/2009; Elizovskiy District Court of the Kamchatka Region |