



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

FIRST SECTION

DECISION

Application no. 44876/12

Yelena Mikhaylovna SYDEYEVA and Yuliya Nikolayevna SYDEYEVA
against Russia

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

Elisabeth Steiner, *President*,

Mirjana Lazarova Trajkovska,

Ksenija Turković, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 28 June 2012,

Having regard to the comments submitted by the Russian Government,

Having deliberated, decides as follows:

PROCEDURE

The applicants, Ms Yelena Mikhaylovna Sydeyeva and Ms Yuliya Nikolayevna Sydeyeva, are Russian nationals, who were born in 1972 and 1993 respectively and live in Ulan-Ude. They were represented before the Court by Ms M. Batarova, a lawyer practising in Ulan-Ude.

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

The applicants complained under Article 8 of the Convention that the decision to evict them from a municipal flat where they had lived since 1998 had not pursued any legitimate aim and had not been “necessary in a democratic society”. They also complained under Articles 6 and 13 of the

Convention that the judicial proceedings that had ended up with the eviction order had been unfair.

On 12 October 2012 the complaint under Article 8 was communicated to the Government.

On 3 December 2012 the Presidium of the Supreme Court of the Buryatiya Republic quashed the eviction order and remitted the case for a new examination before the appellate court.

On 12 December 2012 the Supreme Court of the Buryatiya Republic rejected the local administration's claim for the applicants' eviction and ordered that the local administration conclude a tenancy agreement with them. On the same day the judgment became enforceable.

On 20 December 2012 the applicants informed the Court of their intention to withdraw the application.

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.

André Wampach
Deputy Registrar

Elisabeth Steiner
President