



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

FIRST SECTION

DECISION

Applications nos. 31581/09 and 70666/11
Yuriy Valentinovich KUDRYAVTSEV against Russia
and Vladimir Ivanovich VISHNYAKOV against Russia

The European Court of Human Rights (First Section), sitting on 23 September 2014 as a Committee composed of:

Khanlar Hajiyev, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and Søren Prebensen, *Acting Deputy Section Registrar*,

Having regard to the above applications lodged on 26 May 2009 and 27 December 2011 respectively,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant in the first case, Mr Yuriy Valentinovich Kudryavtsev, is a Russian national, who was born in 1971 and lives in St Petersburg.

2. The applicant in the second case, Mr Vladimir Ivanovich Vishnyakov, is a Russian national, who was born in 1977.

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

4. The applicants complained under Article 3 of the Convention about the inadequate conditions of their post-conviction detention and deficient medical assistance.

5. The applicants’ complaints were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit their own observations. No reply was received to the Registry’s letter.

6. The applicants were subsequently notified by registered post that the period allowed for submission of their observations had expired and that no

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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 applicant does not intend to pursue the application. However, no response has been received.

THE LAW

7. The Court considers that, in these circumstances, the applicants 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.

8. In view of the above, it is appropriate to join the case and to strike them out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications and to strike them out of its list of cases.

Søren Prebensen
Acting Deputy Registrar

Khanlar Hajiyev
President