

ECHR-LE2.2aR
DT/SI/vby

7 November 2016

Application no. 63044/16
Belkharoyev v. Ukraine

Dear

I acknowledge receipt on 4 and 7 November 2016 of your faxes requesting the European Court of Human Rights under Rule 39 of the Rules of Court to prevent the applicant's extradition to the Russian Federation.

Reference for further correspondence

The file has been given the above number which you must refer to in any further correspondence relating to this case.

Decision on interim measure

On 7 November, the Court (the duty judge) decided, in the interests of the parties and the proper conduct of the proceedings before it, to indicate to the Government of Ukraine, under Rule 39, that the applicant should not be extradited until **5 December 2016**.

The parties' attention is drawn to the fact that failure of a Contracting State to comply with a measure indicated under Rule 39 may entail a breach of Article 34 of the Convention. In this connection, reference is made to paragraphs 128 and 129 of the Grand Chamber judgment of 4 February 2005 in the case of *Mamatkulov and Askarov v. Turkey* (applications nos. 46827/99 and 46951/99) as well as point 5 of the operative part.

The Court will further send its questions to the parties.

Priority

The Court further decided to give priority to the application under Rule 41.

Application form

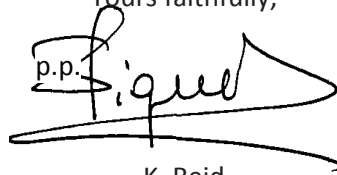
In order to complete the file, you must send to the Court by **5 December 2016** the original of the enclosed application form duly completed together with copies of all relevant documents. **Please note that if you send original documents, they will not be returned to you by the Court.** If

no such information is received by the above date, the application may be struck out of the list of cases without further notice.

Barcode labels

Please find enclosed a set of barcode labels which you should stick on the top right-hand corner of the **first page** of any correspondence sent to the Registry in relation to the present case.

Yours faithfully,

p.p. 

K. Reid

Registrar of the Filtering Section

Enc.: Application pack
Barcode labels

Please note that the documents appended to this letter will be sent to you by post only.