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

FIRST SECTION

DECISION

Application no. 42451/20
Alfred Joseph BALDACCHINO and Others
against Malta
(see appended table)

The European Court of Human Rights (First Section), sitting on 19 May 2022 as a Committee composed of:

Alena Poláčková, *President,*
Raffaele Sabato,
Davor Derenčinović, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 23 September 2020,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of the applicants is set out in the appendix.

The applicants were represented by Mr D. Camilleri, a lawyer practising in Valletta.

The applicants' complaint under Article 6 § 1 of the Convention concerning access to a court was communicated to the Maltese Government ("the Government"), who submitted observations on the admissibility and merits. On 5 November 2021 the observations were forwarded to the applicants via the Court's Electronic Communication Service (eComms) and they were invited to submit their own observations. This correspondence remained unopened as the applicants' representative failed to access the eComms account since August 2021. Thus, no reply was received to the Registry's letter.

By letter dated 21 December 2021, also sent via eComms, the applicants were notified that the period allowed for submission of their observations had expired 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 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. That letter was also not downloaded from the eComms account by the applicants' representative.

By a letter of 1 February 2022, sent by registered post, the applicants' representative was sent a copy of the previous correspondence. The applicants were informed that exceptionally a new time-limit was set for 15 March 2022. 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. According to the postal service tracking system, on 26 February 2022 the addressee could not be reached and was notified that the correspondence could be collected at the relevant post office. The letter, having remained uncollected by 15 March 2022, was returned to the Court.

THE LAW

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 application.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 9 June 2022.

Viktoriya Maradudina Acting Deputy Registrar	Alena Poláčková President

APPENDIX

No.	Applicant's Name	Year of birth/registration	Nationality	Place of residence
1.	Alfred Joseph BALDACCHINO	1937	Maltese	Rabat
2.	REGENCY ESTATES LIMITED	1966	Registered in Malta	Valletta
3.	WESTMINSTER SECURITIES LIMITED	1974	Registered in Malta	Valletta