

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

FOURTH SECTION

DECISION

Applications nos. 23990/16 and 43209/16
Vasile-Lucian BOIAN against Romania
and Alexandru GATI against Romania
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 9 March 2023 as a Committee composed of:

Tim Eicke*, President*,
Branko Lubarda,
Ana Maria Guerra Martins*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicants' complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government, who submitted 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 by the Court.

By letters sent by registered post, the applicants were notified that the time allowed for the submission of their observations had expired (see the appended table for the relevant dates). The applicants' attention was further 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. The registered letters were not claimed by the addressees (see details in the appended table). No reply to these letters has been received by the Court (see details in the appended table) and there are no previous letters from the applicants informing the Court about the change of address.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

In the light of the foregoing, the Court concludes that the applicants may be regarded as no longer wishing to pursue the applications (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 the Protocols thereto which require the continued examination of the applications.

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.

Done in English and notified in writing on 30 March 2023.

Viktoriya Maradudina	Tim Eicke
Acting Deputy Registrar	President

APPENDIX

List of applications raising complaints under Article 3 of the Convention (inadequate conditions of detention)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of the applicant's last letter to the Court	Date of sending Government's observations to the applicant	Date of the Court's registered letter	Date of receipt/ return of the registered letter	Date of the applicant's release from prison
1.	23990/16 20/04/2016	**Vasile-Lucian BOIAN** 1983	Gheorghe Pecingină Târgu Jiu	18/03/2021	12/09/2022	22/11/2022	Returned as unclaimed on 27/01/2023	23/12/2015
2.	43209/16 09/11/2016	**Alexandru GATI** 1977		21/07/2021	16/09/2022	26/10/2022	Returned as unclaimed on 27/01/2023	09/09/2022