

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

FOURTH SECTION

DECISION

Application no. 16673/16
Traian DIACONU against Romania
and 2 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 10 November 2022 as a Committee composed of:

Armen Harutyunyan*, President*,
Anja Seibert-Fohr,
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. 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 1 December 2022.

Viktoriya Maradudina Acting Deputy Registrar	Armen Harutyunyan 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	Time limit of submission of response by 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.	16673/16 01/06/2016	**Traian DIACONU** 1953		05/11/2021	03/03/2022	14/04/2022	21/07/2022	01/08/2022 received by the applicant	26/03/2019
2.	39631/16 26/09/2016	**Petrică SCARLAT** 1978		21/10/2020	03/03/2022	14/04/2022	21/07/2022	02/08/2022 received by a relative of the applicant	02/04/2019
3.	30783/17 22/08/2017	**Cătălin-Cristi GAE** 1966	Carmen Cecilia Ofelia Radu Preajba	02/11/2020	03/03/2022	14/04/2022	21/07/2022	02/08/2022 received by the applicant's representative (illegible signature)	21/11/2017