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

FOURTH SECTION

# DECISION

Application no. 40227/16
Marius DRĂGAN against Romania
and 12 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 15 June 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 (see the appended table for the relevant dates). 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 either returned to the Court or were received by the applicants (see details in the appended table). No reply to the letters has been received by the Court and there are no previous letters from the applicants informing the Court about a 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 6 July 2023.

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|---|---|
| Viktoriya Maradudina | Tim Eicke |
| Acting Deputy Registrar | President |

# APPENDIX

## Application 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 for submission of response by the applicant | Date of the Court's registered letter | Date of receipt/return of the registered letter |
|---|---|---|---|---|---|---|---|---|
| 1. | 40227/16 28/07/2016 | **Marius DRĂGAN** 1988 | | 27/06/2022 | 28/07/2022 | 25/08/2022 | 30/01/2023 | 09/02/2023 (delivered) |
| 2. | 46401/16 01/09/2016 | **Daniel ROMANCIUC** 1969 | | 06/07/2022 | 05/10/2022 | 02/11/2022 | 30/01/2023 | 10/02/2023 (delivered) |
| 3. | 52934/16 26/09/2016 | **Florea CARAGEA** 1948 | | 22/03/2022 | 28/07/2022 | 25/08/2022 | 16/03/2023 | 22/03/2023 (delivered) |
| 4. | 54378/16 19/12/2016 | **Csaba-Attila GEREBENES** 1983 | | 15/11/2021 | 19/07/2022 | 30/08/2022 | 03/10/2022 | 11/10/2022 (delivered) |
| 5. | 75798/16 28/02/2017 | **Matei GABOR** 1989 | Giliola Axinte Bucharest | 20/11/2020 | 14/09/2022 | 12/10/2022 | 30/01/2023 | 30/01/2023 (eComms) |
| 6. | 75867/16 16/01/2017 | **Adrian-Claudiu PERCA** 1990 | | 31/08/2020 | 14/09/2022 | 12/10/2022 | 30/01/2023 | 20/02/2022 (returned) |
| 7. | 79476/16 31/03/2017 | **Petrică-Dan VELICU** 1994 | Ionela Mărgărit Bucharest | 19/01/2022 | 14/09/2022 | 12/10/2022 | 30/01/2023 | 30/01/2023 (eComms) |
| 8. | 1948/17 31/01/2017 | **Tomiță DRAGOMIR** 1975 | | 27/04/2021 | 28/07/2022 | 25/08/2022 | 10/11/2022 | 22/11/2022 (returned) |
| 9. | 11194/17 17/07/2017 | **Vasile BELENCO** 1981 | Ghiulfer-Aisun Ismail Constanța | 04/07/2022 | 27/09/2022 | 08/11/2022 | 23/01/2023 | 01/02/2023 (delivered) |
| 10. | 23608/17 20/03/2017 | **Vasile MUNTEAN** 1982 | Vasile Rareș Biro Satu Mare | 17/09/2022 | 05/10/2022 | 02/11/2022 | 30/01/2023 | 03/02/2023 (eComms) |
| 11. | 26005/17 08/05/2017 | **Ion-Alexandru BRUMARU** 1990 | | 21/06/2021 | 14/09/2022 | 12/10/2022 | 30/01/2023 | 10/02/2022 (returned) |

| No. | Application no.<br>Date of introduction | Applicant's name<br>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 for submission of response by the applicant | Date of the Court's registered letter | Date of receipt/return of the registered letter |
|---|---|---|---|---|---|---|---|---|
| 12. | 76636/17<br>30/03/2018 | **Marcel CIUŞTEA**<br>1977 | Ionuţ-Florin Crâşmaru<br>Iași | 09/03/2022 | 05/10/2022 | 02/11/2022 | 30/01/2023 | 31/01/2023<br>(eComms) |
| 13. | 21102/18<br>23/04/2018 | **Cătălin-Dumitru ZEBRENIUC**<br>1981 | Ancuţa Duţuc<br>Suceava | 11/03/2022 | 05/10/2022 | 02/11/2022 | 30/01/2023 | 31/01/2023<br>(eComms) |