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

THIRD SECTION

DECISION

Application no. 16351/15
Edmond PESHKOPIA and Bardhyl TALIPI
against Albania
(see appended table)

The European Court of Human Rights (Third Section), sitting on 6 February 2025 as a Committee composed of:

Oddný Mjöll Arnardóttir, *President,*
Úna Ní Raifeartaigh,
Mateja Đurović, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 27 March 2015,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants were represented by Mr Xh. Sheta, a lawyer practising in Tirana.

The first applicant died on 29 August 2016 when the proceedings were pending before the Court. By a letter of 4 July 2024 Mr Peshkopia's representative informed the Court that the first applicant's heirs wished to continue the proceedings in his stead and would retain the same representative.

The applicants' complaints under Article 6 § 1 and Article 13 of the Convention concerning the non-enforcement of a judgment of 12 November 2013 of the Fier District Court ("2013 judgment") and alleged lack of domestic remedies in that regard were communicated to the Albanian Government ("the Government").

THE LAW

A. As regards the first applicant

The Court notes that the representative of the first applicant's heirs stated that the heirs wished to continue the proceedings on behalf of the first applicant, however they failed to provide the Court with relevant authority forms.

On 8 July, 10 September and 6 November 2024, the Court informed the first applicant's representative by registered mail and via the Court's Electronic Communication Service (eComms) that he was to submit original authority forms in respect of the heirs of the first applicant. His attention was drawn to the terms of 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. Although the representative had downloaded all the letters, no reply followed.

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 in respect of the first applicant.

Accordingly, the part of the application concerning the first applicant should be struck out of the Court's list of cases.

B. As regards the second applicant

The Court notes that the second applicant was not a party to the proceedings before the domestic courts at issue, and his rights have never been the subject of the examination at the domestic level, particularly within the proceedings that led to the 2013 judgment, the enforcement of which is at the heart of the present application. Accordingly, he cannot claim to be a victim of the alleged violation within the meaning of Article 34 of the Convention. It follows that the application, in so far as it has been submitted by the second applicant, is incompatible *ratione personae* with the provisions of the Convention and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases as regards the first applicant,

Declares the application inadmissible as regards the second applicant.

Done in English and notified in writing on 6 March 2025.

Viktoriya Maradudina
Acting Deputy Registrar

Oddný Mjöll Arnardóttir
President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (non-enforcement or delayed enforcement of domestic decisions)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Relevant domestic decision	Start date of non-enforcement period	Domestic award (in euros)	Details of enforcement writ	Other complaints under well-established case-law
16351/15 27/03/2015	**Edmond PESHKOPIA** 1934 Died in 2016 ("first applicant") **Bardhyl TALIPI** 1946 ("second applicant")	Xhevdet Sheta Tirana	Fier District Court decision no. 1729, 12/11/2013	17/02/2014	Obligation of the Fier Local Commission for the Re-evaluation of Property Deeds to take an administrative decision regarding the complaint that several property deeds had been issued to other persons in respect of the same agricultural plot of land.	Fier District Court enforcement writ no. 517 of 17/02/2014.	Art. 13 - lack of any effective remedy in domestic law in respect of non-enforcement or delayed enforcement of domestic decisions.