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

FOURTH SECTION

DECISION

Application no. 15604/16
Cosmin RADU against Romania
and 4 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 24 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 (see the appended table for the relevant dates), the friendly settlement procedure being set in motion through the offices of the Registrar upon communication.

As no reply was received by the Court from the applicants within the provided deadline, the Government submitted unilateral declarations with a view to resolving the issues raised by these complaints. Still no reply was received by the Court from the applicants within the newly provided deadline.

By letters sent by registered post, the applicants were notified that the Court received no response within the time allowed for the submission of their response and that they were provided with a new deadline for submitting a response (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 as unclaimed 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 the change of address. All the applicants had been released from prison several years before the date of this decision, and the last correspondence from them dates back several years as well (see the appended table for the relevant dates).

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, in the absence of any correspondence from the applicants for several years and considering that, following the communication of the applications to the Government, no reply was received from the applicants, 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 15 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	Date of the applicant's last letter to the Court	Date of sending the Government's submissions to the applicant	Time-limit for submitting 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.	15604/16 28/04/2016	**Cosmin RADU** 1973	03/11/2020	07/02/2022	07/03/2022	19/07/2022	04/08/2022 returned to sender as per the website of the Romanian Post	10/10/2016
2.	21528/16 18/05/2016	**Eugen ROTARIU** 1972	29/10/2020	07/02/2022	07/03/2022	19/07/2022	25/07/2022 returned to sender (moved out)	07/09/2016
3.	22041/16 21/10/2016	**Bogdan-Ștefan URSA** 1983	06/11/2020	07/02/2022	07/03/2022	19/07/2022	28/07/2022 returned to sender (further location unknown)	22/06/2016
4.	59963/16 12/01/2017	**Antonio-Giovani GHIȚĂ** 1985	24/01/2017	07/02/2022	07/03/2022	19/07/2022	19/08/2022 returned to sender as per the website of the Romanian Post	02/08/2017
5.	61856/16 10/11/2016	**George-Emil FIERARU** 1982	13/04/2017	07/02/2022	07/03/2022	19/07/2022	25/07/2022 received by the applicant	07/03/2017