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

# FOURTH SECTION

# DECISION

Application no. 27954/15
Cosimo SCAGLIONE against Romania
and 17 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 8 September 2022 as a Committee composed of:

Armen Harutyunyan*, President,*
Jolien Schukking*,*
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 29 September 2022.

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| Viktoriya Maradudina | Armen Harutyunyan |
| Acting Deputy Registrar | President |

# APPENDIX

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

| 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 the Court's registered letter | Date of receipt of the registered letter | New time-limit for submission of observations by the applicant | Date of the applicant's release from prison |
|---|---|---|---|---|---|---|---|---|
| 1. | 27954/15<br>02/02/2016 | **Cosimo SCAGLIONE**<br>1971 | | 20/07/2020 | 25/03/2022 | Letter returned to the sender on 18/04/2022 according to information on the Romanian Post website | 06/05/2022 | 07/06/2016 |
| 2. | 43161/15<br>31/08/2016 | **Daniel-Didi GHEORGHE**<br>1970 | Ionuț Boroș<br>Bârlad | 02/09/2020 | 25/03/2022 | Signed by the applicant on 04/04/2022 | 06/05/2022 | 01/03/2016 |
| 3. | 61757/15<br>05/12/2015 | **Marin BADEA**<br>1942 | | 02/09/2020 | 25/03/2022 | Signed by the applicant on 04/04/2022 | 06/05/2022 | 12/03/2016 |
| 4. | 14265/16<br>26/05/2016 | **Nani MIHAI**<br>1983 | | 23/07/2020 | 25/03/2022 | Signed by the applicant on 04/04/2022 | 06/05/2022 | 09/05/2017 |
| 5. | 15697/16<br>11/05/2016 | **Iulian GREBENAR**<br>1979 | | 17/07/2020 | 22/05/2022 | The applicant refuses receipt of the Court's letter 08/04/2022 | 03/05/2022 | 23/10/2018 |
| 6. | 16979/16<br>01/06/2016 | **Bogdan-Adrian RĂDULESCU**<br>1967 | | 01/09/2020 | 22/03/2022 | Letter returned to the sender on 12/04/2022 according to information on the Romanian Post website | 03/05/2022 | 09/11/2016 |

| 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 the Court's registered letter | Date of receipt of the registered letter | New time-limit for submission of observations by the applicant | Date of the applicant's release from prison |
|---|---|---|---|---|---|---|---|---|
| 7. | 21290/16<br>11/05/2016 | **Georgel LUPOAE**<br>1974 | | 11/08/2021 | 25/03/2022 | Signed by the applicant on 04/04/2022 | 06/05/2022 | 22/01/2020 |
| 8. | 25573/16<br>29/08/2016 | **Emil ISTRĂTUCĂ**<br>1972 | | 15/10/2020 | 25/03/2022 | Signed by the applicant on 05/04/2022 | 06/05/2022 | 06/02/2018 |
| 9. | 38941/16<br>12/10/2016 | **Francisc-Teodor FODOR**<br>1969 | | 27/03/2017 | 16/02/2022 | Illegible signature on 24/02/2022 | 30/03/2022 | 21/02/2017 |
| 10. | 39152/16<br>01/11/2016 | **Marius ȚINICĂ**<br>1984 | | 11/02/2022 | 26/01/2022 | Letter returned to the sender on 17/02/2022 according to information on the Romanian Post website | 09/03/2022 | 14/03/2017 |
| 11. | 39298/16<br>28/07/2016 | **Victor ȘTEFAN**<br>1982 | | 11/09/2017 | 16/02/2022 | Letter returned to the sender on 28/02/2022 as the applicant had moved out | 30/03/2022 | 17/08/2017 |
| 12. | 39723/16<br>23/09/2016 | **Pascu ILIE**<br>1993 | | 04/11/2016 | 17/11/2021 | Letter returned to the sender on 10/12/2021 as unclaimed by the applicant | 04/01/2022 | 02/08/2017 |
| 13. | 42025/16<br>18/10/2016 | **Ioan-Alexandru GLĂJAR**<br>1987 | | 09/01/2018 | 28/02/2022 | Illegible signature on 10/03/2022 | 14/03/2022 | 01/06/2016 |
| 14. | 2980/17<br>12/06/2017 | **Ionel-Iacob NICOLA**<br>1967 | | 09/03/2018 | 16/02/2022 | Delivered to the applicant on 04/03/2022 according to Romanian Post website | 30/03/2022 | 26/012017 |

| 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 the Court's registered letter | Date of receipt of the registered letter | New time-limit for submission of observations by the applicant | Date of the applicant's release from prison |
|---|---|---|---|---|---|---|---|---|
| 15. | 31711/17<br>25/05/2017 | **Gheorghe STANCU**<br>1974 | | 24/03/2020 | 25/03/2022 | Attempted delivery to the applicant on 05/04/2022, returned to the sender on 14/04/2022 | 06/05/2022 | 27/08/2018 |
| 16. | 48900/19<br>09/10/2019 | **Corneliu NEZIRU**<br>1961 | | 01/09/2020 | 16/02/2022 | Signed by the prison representative on 25/02/2022 | 30/03/2022 | |
| 17. | 7099/20<br>05/03/2020 | **Costică MOŢOI**<br>1972 | | 15/10/2020 | 05/01/2022 | Signed by the applicant on 10/01/2022 | 16/02/2022 | |
| 18. | 8796/20<br>09/03/2020 | **Mihăiţă ŞERBAN**<br>1977 | | 16/03/2020 | 05/01/2022 | Letter returned to the sender on 25/01/2022 as unclaimed by the applicant | 16/02/2022 | |