

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

FOURTH SECTION

DECISION

Applications nos. 48937/22 and 14602/23
Cornel ŞERBAN against Romania
and Mandataru CONSTANTIN against Romania
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 21 November 2024 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
András Jakab*, 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 8 § 1 of the Convention concerning the refusal of leave to prisoner for attending funeral of close relatives were communicated to the Romanian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicants, who were invited to submit his own observations. No reply was received to the Registry's letter.

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. The registered letters were received by the applicants or were returned to the Court (see details in the appended table). 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 12 December 2024.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

List of applications raising complaints under Article 8 § 1 of the Convention
(refusal of leave to prisoner for attending funeral of close relatives)

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 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.	48937/22 17/11/2022	**Cornel ȘERBAN** 1970	11/05/2023	23/01/2024	05/03/2024	10/06/2024	18/06/2024
2.	14602/23 23/03/2023	**Mandataru CONSTANTIN** 1986	23/03/2023	23/01/2024	05/03/2024	10/06/2024	19/06/2024