

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

FOURTH SECTION

DECISION

Application no. 29382/15
Ionel-Oliver STAN
against Romania

The European Court of Human Rights (Fourth Section), sitting on 13 March 2025 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 application lodged on 7 July 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Ionel-Oliver Stan, was born in 1967. He was represented by Ms I.M. Peter, a lawyer practising in Bucharest.

The applicant's complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government ("the Government").

On 9 December 2021 the Court delivered a decision in a group of cases which included the present application and decided to strike the application out of its list of cases in accordance with Article 39 of the Convention based on the friendly settlement reached between the parties, acknowledging a violation of Article 3 of the Convention due to the inadequate conditions of detention in which the applicant was held and awarding him 3,000 euros (EUR) in respect of pecuniary and non-pecuniary damage and costs and expenses (see *Bejan and Others v. Romania* (dec.) [Committee], nos. 17588/15 and 17 others).

On 15 March 2022 the Government made a request to restore the application to the Court's list of cases, as during the enforcement of the Court's decision they had learned that the applicant had died on 7 September 2018 and no heir had manifested an intention to pursue the proceedings before the Court in the applicant's place.

On 18 April 2024 the Court decided to disjoin the present application from those to which it had been joined (see above) and to reopen the case, considering the fact of the applicant's death.

By a letter dated 2 May 2024, sent by registered post, the applicant's potential heirs were notified of the Court's decision. They were invited to inform the Court whether they wished to pursue the application before the Court. Their attention was 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 they do not intend to pursue the application. The letter returned to the Court as "unclaimed".

THE LAW

In the light of the foregoing, the Court concludes that the applicant's potential heirs do not wish to pursue the application within the meaning of Article 37 § 1 (a) of the Convention.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 3 April 2025.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President