

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

FOURTH SECTION

DECISION

Application no. 28432/16
Vasilică TOADER against Romania
and 21 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 9 March 2023 as a Committee composed of:

Tim Eicke*, President*,
Branko Lubarda,
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).

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 30 March 2023.

Viktoriya Maradudina	Tim Eicke
Acting Deputy Registrar	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	Representative's name and location	Date of the applicant's last letter to the Court	Date of sending Government's observations to the applicant	Time limit of submission of response by the applicant	Date of the Court's registered letter	Date of receipt of the registered letter	Date of the applicant's release from prison
1.	28432/16 13/10/2016	**Vasilică TOADER** 1977	Andreea Gabriela Cedar, Galați	18/09/2020	02/08/2022	13/09/2022	29/09/2022	11/10/2022 Signed for receipt by the applicant's representative	-
2.	40694/16 01/08/2016	**Ilarion-Cristian RADU** 1987	-	22/10/2020	02/08/2022	13/09/2022	29/09/2022	Returned to the sender on 20/10/2022	16/11/2021
3.	46554/16 28/09/2016	**Alexandru TEODOR** 1987	-	08/11/2021	02/08/2022	13/09/2022	29/09/2022	Returned to the sender on 10/10/2022	23/11/2021
4.	46723/16 29/08/2016	**Petru GATMAN** 1970	-	19/10/2020	02/08/2022	13/09/2022	29/09/2022	10/10/2022 Handed over to the recipient (according to information on the website of the Romanian Post)	-
5.	49349/16 10/11/2016	**Mihai ATOMEI** 1961	-	02/09/2020	02/08/2022	13/09/2022	29/09/2022	11/10/2022 Signed for receipt by Arad prison's representative	
6.	54684/16	**Florin MINCĂ**		25/01/2021	21/09/2022	02/11/2022	17/11/2022	02/12//2022	-

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of the applicant's last letter to the Court	Date of sending Government's observations to the applicant	Time limit of submission of response by the applicant	Date of the Court's registered letter	Date of receipt of the registered letter	Date of the applicant's release from prison
	17/12/2016	1975	-					Handed over to the recipient (according to information on the website of the Romanian Post)	
7.	55594/16 21/10/2016	**Vasile FIERARU** 1983	-	16/03/2020	21/09/2022	02/11/2022	17/11/2022	09/12/2022 Handed over to the applicant's sister	12/07/2017
8.	56555/16 15/11/2016	**Gabriel STOICA** 1984	-	07/01/2022	21/09/2022	02/11/2022	17/11/2022	25/11/2022 Signed by the applicant	-
9.	56616/16 18/10/2016	**Ali KARAZI** 1970	-	06/12/2021	21/09/2022	02/11/2022	17/11/2022	30/12/2022 Illegible signature	-
10.	56617/16 06/02/2017	**Adrian-Vasile RUSU** 1973	-	01/02/2021	21/09/2022	02/11/2022	17/11/2022	02/12/2022 Illegible signature	-
11.	57287/16 28/11/2016	**Florin Gabriel DUMITRU** 1976		22/03/2021	21/09/2022	02/11/2022	17/11/2022	Returned to the sender on 05/12/2022	09/01/2019
12.	58149/16 04/01/2017	**Zoltan BUDI** 1982	-	23/03/2021	21/09/2022	02/11/2022	17/11/2022	29/11//2022 Handed over to the recipient (according to information on the website of the Romanian Post)	-
13.	58396/16 21/02/2017	**Marian SECAN** 1987	-	25/01/2021	21/09/2022	02/11/2022	17/11/2022	Returned to the sender on 02/12/2022	-
14.	62749/16 03/05/2017	**Marian-Fănel NAUM** 1971	-	14/01/2021	21/09/2022	02/11/2022	17/11/2022	06/12/2022 Illegible signature	-

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15.	63029/16 05/12/2016	**Marian-Constantin POIȚELEA** 1977	-	23/03/2021	21/09/2022	02/11/2022	17/11/2022	06/12/2022 Illegible signature	22/08/2018
16.	63496/16 12/12/2016	**Vasile CĂLIN** 1986	-	18/01/2022	21/09/2022	02/11/2022	17/11/2022	28/11/2022 Illegible signature	-
17.	67055/16 12/12/2016	**Vasile TĂMĂSLĂCARIU** 1978	-	26/01/2021	21/09/2022	02/11/2022	17/11/2022	Returned to the sender on 27/01/2023	02/11/2021
18.	67650/16 20/02/2017	**Claudiu-Celestin VLĂDULESCU** 1974	-	24/05/2022	02/08/2022	13/09/2022	29/09/2022	03/01/2023 Signed for receipt by Tg. Jiu prison's representative	-
19.	69644/16 12/12/2016	**Doru CONDURACHI** 1962	-	23/05/2022	02/08/2022	13/09/2022	29/09/2022	10/10/2022 Signed by the applicant	19/04/2022
20.	71538/16 09/01/2017	**Răzvan-Alexandru GRĂDINARU** 1971	Cătălin Nicolae Pangratie Bucharest	09/01/2017	27/09/2022	08/11/2022	23/11/2022	05/12/2022 Signed for receipt by the applicant's representative	28/02/2018
21.	72438/16 27/02/2017	**Mihai MACOVEI** 1958	-	04/04/2022	02/08/2022	13/09/2022	29/09/2022	14/10/2022 Signed by the applicant	19/04/2022
22.	73410/16 04/03/2021	**Ion GAIDAȘ** 1963	-	20/10/2021	21/09/2022	02/11/2022	17/11/2022	05/12/2022 Handed over to the recipient (according to information on the website of the Romanian Post)	-