



Ms Kirsten GATT
Aditus foundation,
Rhea Building 1A
Triq is-Santissima Trinitá
Ħamrun MRS 2280
MALTA

ECHR-LE2.2aR
RMT/td

11 January 2023

BY E-TRANSMISSION ONLY

Application no. 1766/23
J.B. and Others v. Malta (see list appended)

Dear Madam,

I acknowledge receipt of your correspondence of 10 January 2023 requesting the European Court of Human Rights under Rule 39 of the Rules of Court to indicate to the Government of Malta to release the minor applicants to an accommodation with reception conditions compatible with Article 3 of the Convention having regard to their age.

Reference for further correspondence

The file has been given the above number which you must refer to in any further correspondence relating to this case.

Decision on interim measure

On 11 January 2023, the Court (the duty judge) decided, in the interests of the parties and the proper conduct of the proceedings before it, to indicate to the Government of Malta, under Rule 39, to ensure that the applicants' conditions are compatible with Article 3 of the Convention and with their status as unaccompanied minors.

The parties' attention is drawn to the fact that failure of a Contracting State to comply with a measure indicated under Rule 39 may entail a breach of Article 34 of the Convention. In this connection, reference is made to paragraphs 128 and 129 of the Grand Chamber judgment of 4 February 2005 in the case of *Mamatkulov and Askarov v. Turkey* (applications nos. 46827/99 and 46951/99) as well as point 5 of the operative part.

Information requested

The Court also decided, under Rule 54 § 2 (a), to invite the parties to submit information regarding the outcome of any age determination procedure, when this becomes available.

Priority

The Court further decided to give priority to the application under Rule 41.

Anonymity and confidentiality

The Court has decided, under Rule 47 § 4, not to disclose the applicants' identities to the public. In all public documents of the Court the applicants will accordingly be referred to by the letters of the alphabet used in the reference at the head of this letter and the appended list.

In accordance with the above decision, any documents deposited with the Registry in which the said applicants' names appear or which could otherwise easily lead to their identification should not be made accessible to the public (Rule 33 § 1 of the Rules of Court) and shall remain confidential.

Application form

In order to complete the file, you must send to the Court by **13/02/2023** the original of the application form duly completed together with copies of all relevant documents. **Please note that if you send original documents, they will not be returned to you by the Court.** If no such information is received by the above date, the application may be struck out of the list of cases without further notice.

Yours faithfully,

A handwritten signature in black ink, appearing to read "K. Ryngielewicz". The signature is written in a cursive style with a small "P.P." or similar mark at the beginning.

K. Ryngielewicz
Head of the Filtering Section

APPENDIX

	Applicant's Name	National ID	Initials
1.	Jihad BEPARY	220-015	J.B.
2.	Rajib ALI	220-047	R.A.
3.	Saiful ISLAM	220-043	S.I.
4.	Raihan KAZI	220-018	R.K.
5.	Masud KHAN	220-017	M.K.
6.	Tonin KHAN	220-040	T.K.
7.	Sabbir MATUBBAR	220-031	S.M.