

ECHR-LE2.2aR
EBA/FB/ma

29 January 2019

BY POST AND FAX (0039 011 56 19 407)



Dear Sir,

I acknowledge receipt of your correspondence of 29 January 2019 requesting the European Court of Human Rights under Rule 39 of the Rules of Court to disembark the rescued individuals on board of the vessel 'SeaWatch3'.

Decision on interim measure

On 29 January 2019, the Court (the Chamber to which the case has been allocated) decided, in the interests of the parties and the proper conduct of the proceedings before it, to indicate to the Government of Italy, under Rule 39, to take all necessary measures, as soon as possible, in order to provide all the applicants with adequate medical care, food, water and basic supplies as necessary until further notice. As far as the 15 unaccompanied minors are concerned, the Government are requested to provide adequate legal assistance (e.g. legal guardianship). The Government are also requested to keep the Court regularly informed of the developments of the applicants' situation.

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.

Priority

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

Anonymity and confidentiality

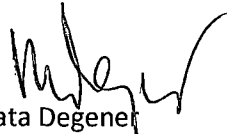
The Court has decided, under Rule 47 § 4, not to disclose the applicants' identities to the public.

Application form

In order to complete the file, you must send to the Court by **26 February 2019** the original of the enclosed 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.

It will be open to the applicants to file a new request for interim measures under Rule 39, if they deem it necessary should new circumstances arise.

Yours faithfully,



Renata Degener
Deputy Section Registrar

Enc. Application pack

Please note that the documents appended to this letter will be sent to you by post only.