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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1514th meeting (December 2024) (DH)

Communication from the authorities on the individual measures (23/10/2024) concerning the cases of RJ IMPORT ROGER JAEGER A.G. and RJ IMPORT BUCURESTI S.A. v. Romania (Application No. 19001/05) (Sacaleanu group, 73970/01).

Information made available under Rule 8.2a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1514^e réunion (décembre 2024) (DH)

Communication des autorités sur les mesures individuelles (23/10/2024) relative aux affaires RJ IMPORT ROGER JAEGER A.G. et RJ IMPORT BUCURESTI S.A. c. Roumanie (requête n° 19001/05) (groupe Sacaleanu, 73970/01) **[anglais uniquement]**.

Informations mises à disposition en vertu de la Règle 8.2a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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Bucharest, 23 October 2024

1881 R/AG/ 84



Information Note on individual measures in the ECHR case *RJ IMPORT ROGER JAEGER A.G. and RJ IMPORT BUCURESTI S.A. v. Romania* (application no. 19001/05, judgment of 3 November 2011)

I.

The abovementioned case belongs to the *SC Polyinvest SRL and eight others v. Romania* group of cases (part of the larger *Săcăleanu* group), which raise issues related to the non-enforcement of domestic court judgments or arbitral awards ordering state-owned enterprises (currently in bankruptcy or already liquidated) to pay the applicants certain sums of money.

On 21 October 2024, the Department for the execution of ECHR judgments forwarded to the Government Agent a letter from the applicant company's lawyer, accompanied by enclosures, related to issues in the process of executing the Court's ruling.

II.

First and foremost, **the Government reiterate its commitment to fully comply with the ECHR ruling in the *RJ IMPORT ROGER JAEGER A.G. and RJ IMPORT BUCURESTI S.A. v. Romania* case by executing the 17 November 2004 judgment adopted by the Bucharest County Court.**

In its 2004 judgment, the Bucharest County Court awarded RJ IMPORT BUCUREȘTI S.A the following amounts: 35.518.500.000 old lei¹ (ROL) , representing „the price of the merchandise to be returned”, 35.994.375.000 old lei (ROL), representing „improvements made during the time when the assets bought from SC CRASER SA were exploited” and the sum of 5.171.000 old lei (ROL), representing „costs and expenses”, **for a total of 71.518.046.000 old lei (ROL).**

From the information available in the file related to the ECHR case (a letter sent to the Government Agent by the liquidator PREST INSOLV IPURL on 15 January 2018), it results that, during the liquidation procedure of SC CRASER SA, RJ IMPORT ROGER JAEGER AG received 2.484.861,64 new lei (RON) and RJ IMPORT BUCUREȘTI SA received the sum of 1.272.280 new lei (RON), the two applicant companies receiving, in total, 3.757.141,64 new lei (RON) over the course of SC CRASER SA's liquidation procedure.

In order to conclusively establish the amount that remains to be paid to the applicant company RJ IMPORT BUCUREȘTI SA in the execution of the ECHR ruling, **efforts have been undertaken by the Governmental Agent to determine the total sums owed on the basis of the 17 November 2004 domestic judgment.**

¹ 10.000 old lei (ROL) equal 1 new lei (RON).

Thus, relevant information was requested on this subject from the National Union of Judicial Liquidators (*Uniunea Națională a Practicienilor în Insolvență* - UNPIR) and from the Dolj County Branch of the UNPIR, since PREST INSOLV IPURL was based in Dolj County, through letters sent in June and September 2024.

On 17 October 2024, the Dolj County branch of UNPIR responded and informed the Governmental Agent that it does not possess the requested information, while also indicating that the insolvency and liquidation procedure file was deposited with the Dolj County Court. Thus, a letter requesting information on the insolvency and liquidation of SC CRASER SA carried out by PREST INSOLV IPURL was sent the next day to the Dolj County Court and the answer is currently awaited.

Therefore, the issue at hand at the moment is the clarification of the sum to be paid to the applicant company RJ IMPORT BUCUREȘTI SA on the basis of the 17 November 2004 domestic judgment.

As soon as this issue will be clarified, the payment procedure will be set into motion, and the due sum will be paid to RJ IMPORT BUCUREȘTI SA.

III.

The Government will keep the Committee informed on the execution of the case of *RJ IMPORT ROGER JAEGER A.G. and RJ IMPORT BUCUREȘTI S.A. v. Romania.*