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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: 1545th meeting (December 2025) (DH)

Communication from NGOs (Association for Private Property and ResRO - Restitution und Menschenrechte in Rumänien e.V.) (28/10/2025) in the cases of Strain and Others and Valeanu and Others v. Romania (Applications No. 57001/00, 59012/17) (Strain and Others group).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

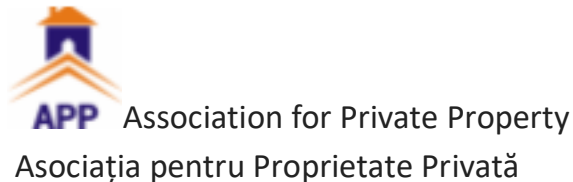
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Réunion : 1545^e réunion (décembre 2025) (DH)

Communication d'ONG (Association for Private Property et ResRO - Restitution und Menschenrechte in Rumänien e.V.) (28/10/2025) dans les affaires Strain et autres et Valeanu et autres c. Roumanie (requêtes n° 57001/00, 59012/17) (groupe Strain et autres) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



DGI

28 OCT. 2025

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

To: Head of the Department of Execution of Judgements of the ECHR
Ref: **Străin and Others group (Application No. 57001/00) and
Maria Atanasiu and Others (Application No. 30767/05) v. Romania**

For - the 1545th meeting (December 2025)

Your Excellencies,

APP România (Association for Private Property) and ResRO (Restitution und Menschenrechte in Rumänien e. V.), two associations of Romanian dispossessed property owners, admitted as third party interveners at the Pilot Case Maria Atanasiu and others v. Romania send their **comments on the recent submissions of the authorities regarding general measures to be taken.**

The Romanian Government has introduced an additional burden on former owners, obliging them to cover the so-called “increase in value” (sporul de valoare) of properties subject to restitution in kind.

According to the information submitted by the Romanian authorities to the Committee of Ministers, “The increase in value is the difference between the current value of the property subject to restitution and the value it would have had if it had remained in its original condition (at the time of the unlawful takeover). Exceeding the 50% threshold for additions made to an abusively seized property is, from a legal point of view, an objective criterion for qualifying it as a new property. If it is considered a new property, restitution in kind is not possible.”

However, the Government has failed to inform that, in situations where the increase in value of a property ranges between 1% and 50% of the property’s value at the time of its unlawful confiscation, the former owner is required to pay an amount equivalent to this increase in order to obtain restitution in kind.

In all relevant judgments of the European Court of Human Rights, the Court has ordered restitution of the property itself, and only where restitution in kind was not possible, the payment of compensation. In none of these judgments has the Court found that former owners should bear any financial burden related to an alleged increase in the property’s value.

We are also concerned that certain public statements and official communications made by representatives of the Romanian authorities have presented a distorted picture of the effects of the new valuation methodology. The authorities have claimed that “changing the method of property valuation will lead to higher compensation payments than before.”

This assertion is inaccurate. Compensation amounts cannot increase when the values indicated in the official valuation grids of public notaries are multiplied by **coefficients below one**. We have already submitted concrete examples illustrating this situation.

We therefore respectfully request that the Committee of Ministers invite the Romanian authorities to present the detailed calculation method they have used. Such an analysis will clearly demonstrate that the resulting compensation decreases for larger properties — a situation that cannot be regarded as fair or proportionate.

We trust that the Committee of Ministers will take note of these concerns, including the dissemination of inaccurate information by the national authorities, when assessing the implementation of the relevant judgments against Romania. We further urge that the authorities be reminded of their obligation to provide complete, accurate, and transparent information to the Committee in the context of the supervision of execution of judgments.

While the Court has accepted the use of public notary valuation grids for compensation purposes — provided that compensation remains reasonably related to current market value — **the new ordinance introduces correction coefficients that significantly devalue the resulting compensation**.

For buildings, the new criteria provide between 50% and 70% of the value established in the notary public grids for buildings with normal finishes built before 1977, and for annexes (garages, sheds, terraces, etc.) only 10% of the grid value.

For land within urban areas, the following correction coefficients apply:

- 0.8 for plots between 1,000–5,000 m² (only 80% of the grid value is paid as compensation);
- 0.5 for plots between 5,000–10,000 m² (only 50% of the grid value is paid);
- 0.2 for plots exceeding 10,000 m² (only 20% of the grid value is paid).

Applying these “correction coefficients” leads to manifestly **inequitable situations**, such as:

- The former owner of a 1,001 m² plot receiving less compensation than the owner of a 999 m² plot of the same type and in the same area;
- Compensation for a 4,000 m² plot exceeding that for a 12,000 m² plot, again due to the newly introduced evaluation criteria.

Therefore, **compensation is not proportional to the size of the property: larger plots receive lower compensation**, in clear contradiction with the case-law of the European Court of Human Rights, which condemns “the failure of the authorities to ensure that the compensation awarded was reasonably related to the current value of the property.”

For agricultural, forest, and pasture land, additional reductions are applied, resulting in **derisory compensation**.

We respectfully submit these observations for consideration by the Committee of Ministers in the context of its ongoing supervision of the execution of the relevant judgments against Romania.

Submitted on behalf of:

APP România (**Association for Private Property**) president Călin Ispravnic



ResRO (Restitution und Menschenrechte in Rumänien e.V.) president Hans-Reinhardt Benning



APDAS (Asociația Proprietarilor Deposedați Abuziv de Stat) president Anca Zlătescu

