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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: 1569th meeting (September 2026) (DH)

Communication from the authorities (04/09/2026) concerning the groups of cases of Maria Atanasiu and Others v. Romania (Application No. 30767/05) and Valeanu and Others v. Romania ((Application No. 59012/17) - *The appendices in Romanian are available upon request to the Secretariat.*

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 : 1569^e réunion (septembre 2026) (DH)

Communication des autorités (04/09/2026) relative aux groupes d'affaires Maria Atanasiu et Autres c. Roumanie (Requête n° 30767/05) et Valeanu et autres c. Roumanie (Requête n°59012/17) **[anglais uniquement]** - *Les annexes en roumain sont disponibles sur demande au Secrétariat.*

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.

L/ 4432/04.09.2026
604 R/AG/353
FG 10405 R/AG/130



**Government Information Note on General Measures
in the *Maria Atanasiu and others v. Romania* group of cases (no.
30767/05) and in the *Văleanu and Others* Group of cases (no. 59012/17)**

The Government respectfully ask the Committee to take note of the following information on the execution of the *Maria Atanasiu and others v. Romania* group of cases (no. 30767/05) and in the *Văleanu and Others* Group of cases (no. 59012/17), as received from the competent national authorities:

I. By a letter of 04.08.2026, the National Authority for the Restitution of Property (ANRP) informed as follows:

- Since its establishment by Law no. 165/2013 and up until 31.07.2026, the **National Commission for Real Estate Compensation (CNCI) has handled 70,280 cases**, of which **51,913 were created under Law no. 10/2001 and 18,367 under land fund laws**. Through the decisions issued by CNCI, **compensation amounting to over 26.5 billion lei has been granted. Out of the over 26.5 billion lei granted by the Romanian state, 20 billion lei represents the value of payment titles issued by ANRP so far**, following requests submitted by the holders. To highlight the financial effort of the Romanian state, it's also worth noting that since 2021, compensations are granted based on the notary grid valid in the year before the CNCI decision is issued. This legislative measure was adopted to ensure that the compensations reflect the value of the properties at the time when the cases are solved. A positive aspect is that, **currently, only 8% of over 108,000 cases registered between 2005 - 2026 remain unsolved.**

Of the remaining unsolved cases (8,325 cases, both under Law no. 10/2001 and other land restitution laws), about half are within the legal resolution period set by Law no. 165/2013 (36 months for land restitution cases and 60 months for cases established under Law no. 10/2001, from the moment they are registered with ANRP).

It is necessary to highlight the efforts made to solve the files under Law no. 10/2001 which have been sent to CNCI by local authorities. Currently, around 6,200 cases in this category remain unsolved. For comparison, before Law no. 165/2013 was adopted, there were about 41,000 unsolved cases under Law no. 10/2001.

Also, whereas in 2013, out of 41,000 unsolved cases, 26,000 were pending without being assigned for processing, currently that number is under 1,300 cases. **Keeping the current pace of assignments, it is estimated that in two years, all these cases will be in progress and most of them will be solved.**

Regarding the solutions adopted by the Romanian state in favour of beneficiaries of court rulings (domestic and later issued by the ECHR), who did not benefit from the reparation mechanism because they did not follow the administrative procedure established by restitution laws (solutions that consisted in the possibility of submitting requests for compensatory measures based on regulatory amendments to Law no. 165/2013, namely Law no. 284/2023 and Government Ordinance no. 51/2024), **out of the 526 requests submitted to ANRP, only 15 are currently unsolved**, and these cases are being completed with additional documents requested by the CNCI Secretariat. Compared to the ANRP previous reports, **this year, the procedure for issuing payment titles has been resumed**. So far, **ANRP has issued over 21,000 payment titles**. By the end of August 2026, payment titles will be issued for all complete applications for 1 - 5 payment installment (in addition to the 21,000 payment titles already issued, a further approximately 8,000 are yet to be issued in the near future).

- Through Emergency Ordinance no. 38/2025, local administrative units are required to report information on the number of solved and unsolved requests, submitted both under Law no. 10/2001 and under the land-related laws. The deadline for reporting this data is 31.12.2026.

In July 2026, ANRP requested the Prefect's Offices information regarding the progress in fulfilling this obligation, with the data to be submitted by mid-August.

It is well known that the ECHR is monitoring the status of the unsolved notifications registered with the Bucharest Mayor's Office (MB). Since this issue is also one of ANRP's concerns, given its direct impact on the state budget (because compensation is granted based on notarial grids, which change and increase annually) due to the non-submission of these files to ANRP for

establishing compensation, this topic will be addressed with the MB's representatives.

- Currently, the main issue in the field of property rights restitution is the inability to solve the claims regarding the forest lands, part of the state's public domain. Following the decisions no. 395/2017 and no. 685/2020 of the Constitutional Court of Romania, the restitution of all forest lands part of the state's public domain (regardless of whether or not the land in question represents the former site of the former owner) is possible only through the transfer of the respective properties from the public domain of the state to the private domain, by means of individual Government Decisions, initiated by the County Land Commissions, by the Ministry of the Environment, Water and Forests and by the ANRP.

Considering that the procedure for issuing individual Government Decisions is proving to be extremely difficult, given the several hundred of such documents already prepared at the national level, the ANRP will address this issue within the Inter-ministerial Committee for the Implementation of Law No. 165/2013.

II. By a letter of 06.07.2026, the Bucharest Mayor's Office (MB) informed on the following developments:

- At the level of the MB, up to date, a number of **42,623 administrative files have been registered**, constituted on the basis of the notifications lodged under Law no. 10/2001.

At the same time, according to art. 43 of Law no. 165/2013, the applications submitted pursuant to art. 36 para. (5) of Law no. 18/1991, republished, with subsequent amendments and completions and of art. 34 of Law no. 1/2000, republished, with subsequent amendments and completions, which refer to land with the category of courtyards - constructions, unsolved until the date of entry into force of this law, shall be sent to the commissions set up under the local public authorities for the application of Law no. 10/2001, in order to be resolved.

In the MB'S records, **15,664 files sent by the Mayor's office of Districts 1, 2, 3, 4, 5 and 6** pursuant to art. 43 of Law no. 165/2013 have been registered so far, but the transmission process has not yet been completed.

According to art. 1.1. Chapter III of the Government Decision no. 250/2007 for the approval of the methodological norms for the unitary application of Law no. 10/2001, *"in addition to the management bodies of each entity*

involved in the settlement of notifications, internal commissions will be set up and will function for the analysis of notifications, usually consisting of 3-5 members (lawyers and economists will be appointed as far as possible), who will analyse each notification and the evidentiary documents submitted and will draw up the proposal for resolution".

Thus, a number of about **5,455 administrative files have been submitted to the Secretariat of the Internal Commission for the settlement of the notifications formulated under Law no. 10/2001**, in order to be analysed and prepared the resolution proposal, according to the legal provisions in force.

Following the analysis and drafting of the resolution proposal of the Internal Commission for the analysis of the notifications formulated under Law no. 10/2001, approximately **2.307 of administrative files were submitted for approval and signature**, these being files constituted on the basis of Law no. 10/2001 which contain draft decisions of the General Mayor of Bucharest.

Moreover, a number of **25,269 decisions of the General Mayor of Bucharest have been issued, so far, pursuant to Law no. 10/2001.**

- Regarding the subject of the measures that have been taken or are to be adopted to address, effectively the causes of the delays encountered at the level of the MB, at all levels, and to accelerate the process of restitution of nationalized properties, the MB provided the following:
 - The Rules of the Internal Commission for the analysis of the notifications based on Law no. 10/2001 have been drawn up in accordance with the provisions of Chapter III "Institutional measures – point 1.4 of the methodological norms for the application of Law no. 10/2001, approved by GD no. 250/2007" and have been approved and registered under no. 60238/06.04.2023, by the general mayor.
 - The adoption of the Mayor's notes no. 35/12.11.2024 and no. 124450/37.08.2022 regarding the approval circuit, countersignature and signing of the draft dispositions issued pursuant to Law no. 10/2001 and of Law no. 165/2013.
 - The adoption of the Specific Procedure "Management of restitution" (version 2), which entered into force on 15.11.2022, redistributing the work of managing files and the process of completing them with the necessary documents/entries according to the legal provisions, within 30 days.
 - **Starting from 06.03.2023, until now, 10,559 files have been checked, and the progress has been recorded in the new application created by the IT Department.**

- Decision no. 685/24.03.2023 of the general mayor appointing the Internal Commission for analysing the notifications submitted pursuant to Law no. 10/2001, as amended by Decisions of the general mayor no. 145/25.02.2025, no. 1708/09.06.2026 and Decision of the general mayor appointing the Internal Commission for analysing the notifications no. 686/24.03.2023, as amended by the general mayor's Decisions no. 1088/20.06.2023, no. 146/25.02.2025, no. 2178/26.11.2025 and no. 1709/09.06.2026.
- Proposal for the digitalization and automation of certain essential activities for managing and recording administrative files created based on notifications submitted under Law no. 10/2001, which was discussed at the institutional leadership level. This includes scanning files, issuing digitized correspondence and other administrative processes.
- Seeking an appropriate solution for carrying out the evaluation of real estate assets that should be returned in kind and determining the extent of surplus value from the time of abusive seizure by the state until the present, as stipulated by Government Emergency Ordinance no. 38/2025, for amending and supplementing Law no. 165/2013, regarding the uniform and fair resolution of restitution requests, either through restitution in kind or by granting compensation, the MB have also requested valuation reports prepared by authorized experts at the request and expense of persons who consider themselves entitled, in cases where full or partial restitution in kind is, in principle, possible.
- Following the discussion during the meeting on 30.01.2024 with the delegation from the Department for the Execution of ECHR Judgments within the Council of Europe, the MB consider that is appropriate to modify/complete the specific legislative framework by regulating realistic measures to streamline and accelerate the procedure for analyzing and solving the notifications filed under Law no. 10/2001, including the following:
 - amending art. 33 para. (4) of Law no. 165/2013, regarding measures to complete the restitution process, either in kind or by equivalent, of properties abusively seized during the communist regime in Romania, according to which "applications are analyzed in the order of their registration with the entities provided in para. (1)", meaning that applications/notifications should be analyzed in their registration order with the Secretariat of the Internal Commission for analyzing the notifications filed under Law no. 10/2001, considering that, **at the date of this report, the Secretariat of the Internal Commission for analyzing the notifications filed under Law no. 10/2001 has 5,455 registered** administrative files and some of them do not contain final

court judgments obliging MB, to solve the respective notifications/applications;

- amending Law no. 9/2023, to modify and complete Government Emergency Ordinance no. 41/2016 regarding the establishment of certain simplification measures within the central public administration and for amending and completing certain normative acts, in such a way that the certification of copies as conforming to the originals can be carried out by the entitled persons/their representatives under their own responsibility, similarly to the procedure in civil courts as provided in art. 150 para. 2 of the Civil Procedure Code: "the copies shall be certified by the party as conforming with the original."
- amending Government Emergency Ordinance no. 38/2025, regarding the uniform and fair resolution of restitution claims, either through return in kind or by providing compensation, so that there is clarity regarding the criteria and method of evaluating the added value accumulated after being taken over by the state in the case of those properties for which return in kind is basically possible.
- establishing a legal provision regarding the granting of a monthly difficulty allowance to employees directly involved in implementing the laws on measures to finalize the process of restitution of properties abusively taken over during the communist regime in Romania; it should be noted that legal provisions to this effect previously existed, specifically Point V, para. (2) of Title IV and Art. II, para. (1) of Emergency Ordinance no. 209/2005 (amending and supplementing certain regulatory acts in the field of property, approved and supplemented by Law no. 263/2006), as well as the provisions of OUG no. 136/22.12.2006 which established the granting of a monthly difficulty allowance up to 50% to public institution employees directly involved in implementing Law no. 10/2001; in this regard, Communication no. 10908/07.02.2025 was sent to the Ministry of Development, Public Works and Administration regarding the initiation of a legislative proposal for granting a monthly difficulty allowance to MB employees directly involved in implementing Law no. 10/2001.

Conclusion

The Government will keep the Committee informed on the developments in the implementation of general execution measures in the issue of restitution of the nationalized proprieties under the communist regime.