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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (28/10/2026)

Communication from Romania (on individual measures) concerning the cases of Dimitrie Dan Popescu and Others v. Romania (Application No. 39480/03), Buttner and Others v. Romania (Application No. 31560/04), Komaromi and Others v. Romania (Application No. 30075/03), Nasta and Others v. Romania (Application No. 22023/03), Luca Vasiliu and Others v. Romania (Application No. 55/04), Konya and Schrepler-Konya and Others v. Romania (Application No. 37087/03), Stanoiu and Others v. Romania (Application No. 26206/04), Stoicovici and Mateevici v. Romania (Application No. 24861/07), Reformed Diocese of Transylvania v. Romania (Application No. 27948/03), Societatea Muzeului Ardelean and Others v. Romania (Application No. 30295/19) and Pop and Others v. Romania (Application No. 24056/20) (Maria Atanasiu and Others group)

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Réunion : 1577^e réunion (décembre 2026) (DH)

Référence du point : Bilan d'action (28/10/2026)

Communication de la Roumanie (sur les mesures individuelles) concernant les affaires Dimitrie Dan Popescu et autres c. Roumanie (Requête n° 39480/03), Buttner et autres c. Roumanie (Requête n° 31560/04), Komaromi et autres c. Roumanie (Requête n° 30075/03), Nasta et autres c. Roumanie (Requête n° 22023/03), Luca Vasiliu et autres c. Roumanie (Requête n° 55/04), Konya et Schrepler-Konya et autres c. Roumanie (Requête n° 37087/03), Stanoiu et autres c. Roumanie (Requête n° 26206/04), Stoicovici et Mateevici c. Roumanie (Requête n° 24861/07), Diocèse réformé de Transylvanie c. Roumanie (Requête n° 27948/03), Societatea Muzeului Ardelean et autres c. Roumanie (Requête n° 30295/19) et Pop et autres c. Roumanie (Requête n° 24056/20) (Groupe Maria Atanasiu et autres) **[anglais uniquement]**

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Action Report

on individual measures in the cases of *Dimitrie Dan Popescu and Others v. Romania*, *Büttner and Others v. Romania*, *Komaromi and Others v. Romania*, *Nasta and Others v. Romania*, *Luca Vasiliu and Others v. Romania*, *Konya and Schrepler-Konya and Others v. Romania*, *Stănoiu and Others v. Romania*, *Stoicovici and Mateevici v. Romania*, *Reformed Diocese of Transylvania v. Romania*, *Societatea Muzeului Ardelean and Others v. Romania* and *Pop and Others v. Romania*

(Maria Atanasiu and Others group, Application No. 30767/05)

I. Description of the cases

The present action report concerns the following judgments of the European Court of Human Rights (“the Court”):

1. *Dimitrie Dan Popescu and Others v. Romania* (Application No. 39480/03 and 24 others), judgment of 29 September 2020, final on 29 September 2020, revised by the judgment of 31 August 2021, final on the same date;
2. *Büttner and Others v. Romania* (Application No. 31560/04 and 4 others), judgment of 29 September 2020, final on 29 September 2020, revised by the judgment of 12 October 2021, final on the same date;
3. *Komaromi and Others v. Romania* (Application No. 30075/03 and 23 others), judgment of 29 September 2020, final on 29 September 2020, revised by the judgment of 18 January 2022, final on the same date;
4. *Nasta and Others v. Romania* (Application No. 22023/03 and 11 others), judgment of 20 October 2020, final on 20 October 2020, revised by the judgment of 12 October 2021, final on the same date;
5. *Luca Vasiliu and Others v. Romania* (Application No. 55/04 and 18 others), judgment of 20 October 2020, final on 20 October 2020, revised by the judgment of 12 October 2021, final on the same date;
6. *Konya and Schrepler-Konya and Others v. Romania* (Application No. 37087/03 and 24 others), judgment of 17 November 2020, final on 17 November 2020, revised by the judgments of 30 August 2022 and 24 October 2023, final on the same dates;
7. *Stănoiu and Others v. Romania* (Application No. 26206/04 and 3 others), judgment of 3 March 2026, final on 3 March 2026;
8. *Stoicovici and Mateevici v. Romania* (Application No. 24861/07), judgment of 3 March 2026, final on 3 March 2026;
9. *Reformed Diocese of Transylvania v. Romania* (Application No. 27948/03), judgment of 24 March 2026, final on 24 March 2026;
10. *Societatea Muzeului Ardelean and Others v. Romania* (Application No. 30295/19 and 6 others), judgment of 7 April 2026, final on 7 April 2026, rectified on 20 July 2026;
11. *Pop and Others v. Romania* (Applications Nos. 24056/20 and 33995/20), judgment of 5 May 2026, final on 5 May 2026.

The violations found in these cases originate in structural deficiencies in the mechanisms set up in Romania as of 1990 to afford restitution of or compensation for properties nationalised during the communist period (violations of Article 1 of Protocol No. 1 to the Convention).

In the cases of *Dimitrie Dan Popescu and Others*, *Büttner and Others*, *Komaromi and Others*, *Nasta and Others*, *Luca Vasiliu and Others*, *Konya and Schrepler-Konya and Others*, *Stănoiu and Others*, *Societatea Muzeului Ardelean and Others* and *Pop and Others*, the Court found a violation of Article 1 of Protocol No. 1 on account of the applicants' inability to recover possession of their properties, despite final domestic decisions acknowledging, with retroactive effect, the unlawfulness of the taking of the properties by the State and the applicants' property rights, which, combined with a total lack of compensation, imposed on them a disproportionate and excessive burden.

In the case of *Reformed Diocese of Transylvania*, the Court found a similar violation on account of the applicant's inability to recover possession of the properties at issue, or to obtain compensation for them, despite a final decision acknowledging the unlawfulness of their seizure by the State, more than twenty years after the restitution procedure had been set in motion.

In the case of *Stoicovici and Mateevici*, the Court found a violation of Article 1 of Protocol No. 1 on account of the interference with the applicants' right to the peaceful enjoyment of their land, resulting from the establishment of a right of superficies over it in favour of the owner of the hotel built on that land, combined with a total lack of compensation.

II. Individual measures

Restitution of the properties or payment of the just satisfaction awarded

Under Article 46 and Article 41 of the Convention, in the cases of *Dimitrie Dan Popescu and Others*, *Büttner and Others*, *Komaromi and Others*, *Nasta and Others*, *Luca Vasiliu and Others*, *Konya and Schrepler-Konya and Others* and *Societatea Muzeului Ardelean and Others*, the Court held that the respondent State was to return to the applicants their properties within three months and, failing such restitution, to pay them, within the same three months, the amounts indicated in the tables appended to the judgments in respect of pecuniary damage. In any event, the respondent State was to pay the applicants, within the same time-limit, the amounts awarded in respect of non-pecuniary damage and costs and expenses.

In the cases of *Stănoiu and Others*, *Reformed Diocese of Transylvania* and *Pop and Others*, the Court held that the respondent State was to pay the applicants, within three months, the amounts indicated in the tables appended to the judgments in respect of pecuniary damage, as well as, where applicable, the amounts awarded in respect of non-pecuniary damage and costs and expenses. In the case of *Stoicovici and Mateevici*, the Court held that the respondent State was to pay the applicants jointly, within three months, EUR 8,006.40 in respect of pecuniary damage and EUR 5,000 in respect of non-pecuniary damage.

In the cases of *Dimitrie Dan Popescu and Others*, *Büttner and Others*, *Komaromi and Others*, *Nasta and Others*, *Luca Vasiliu and Others* and *Konya and Schrepler-Konya and Others*, the Court subsequently revised its judgments in respect of certain applications, inter alia on account of the death of some of the applicants before the delivery of the judgments or of the return of some of the properties before that date. The sums due were paid in accordance with the judgments as revised.

The just satisfaction awarded by the Court has been paid to all the applicants or, where applicable, to their heirs. The authorities submitted the relevant information on the payments to the Committee of Ministers at different dates, in the form of Just Satisfaction Forms. In the cases in which the Court ordered the restitution of the properties, failing which the payment of pecuniary damage, the amounts awarded in respect of pecuniary damage were paid in lieu of restitution.

In the case of *Konya and Schrepler-Konya and Others*, in which the applicant chose to pursue the domestic proceedings for the restitution of the building and waived the payment of the amount

awarded in respect of pecuniary damage, requesting only the payment of the amounts awarded in respect of non-pecuniary damage and costs and expenses, which were paid. By a final court decision of 20 October 2021, the applicant was granted full restitution of the building, as confirmed by the authorities on 21 October 2026.

Having regard to the above, the Government consider that no other individual measures are required in these cases and that Romania has complied with its obligations under Article 46 § 1 of the Convention.

III. General measures

In respect of the general measures, the situation giving rise to the violations of Article 1 of Protocol No. 1 to the Convention found in these cases was examined more extensively by the Court in the pilot judgment *Maria Atanasiu and Others v. Romania* (No. 30767/05).

In response to that judgment, the authorities adopted Law No. 165/2013, which represents a significant reform of the restitution mechanism, under the supervision of the Committee of Ministers. The safeguards introduced by this Law were validated a priori by the Court in the *Preda and Others* judgment (No. 9584/02), while the outstanding issues identified therein continue to be supervised in the framework of the *Maria Atanasiu and Others* group of cases.

The Court re-examined the effectiveness of the restitution mechanism in the *Văleanu and Others v. Romania* judgment (No. 59012/17), in which it indicated general measures under Article 46 of the Convention.

In order to complete the process of restitution, in kind or by equivalent, of properties abusively seized during the communist regime in Romania, and in doing so to address the shortcomings found by the Court in the *Văleanu and Others* judgments, the Government adopted Emergency Ordinance No. 38/2025 amending and supplementing Law No. 165/2013.

Moreover, Law No. 284/2023 amending and supplementing Law No. 165/2013 allowed persons in whose favour the domestic courts had ruled, by final decisions, on the existence and extent of their right and on their quality as entitled persons, and who had not lodged notifications under Law No. 10/2001, to apply to the National Authority for Property Restitution for compensation in points. The same Law provided that the applications lodged by persons holding such final decisions are to be resolved with priority.

The remaining measures required to respond to the shortcomings found by the Court continue to be examined by the Committee of Ministers within the framework of the *Maria Atanasiu and Others* (No. 30767/05) and *Văleanu and Others* (No. 59012/17) groups of cases, in respect of which the authorities keep the Committee of Ministers informed of the measures taken and envisaged.

At the same time, the Government consider that the closure of the present cases would in no way prejudice the adoption and implementation of the general measures related to the mechanism of reparation for properties nationalised under the communist regime, which will continue to be supervised in the framework of these groups of cases.

IV. Conclusions

Having regard to the above, the Government invites the Committee of Ministers to close its supervision of the execution of the judgments in the cases of *Dimitrie Dan Popescu and Others*, *Büttner and Others*, *Komaromi and Others*, *Nasta and Others*, *Luca Vasiliu and Others*, *Konya and Schrepler-Konya and Others*, *Stănoiu and Others*, *Stoicovici and Mateevici*, *Reformed Diocese of Transylvania*, *Societatea Muzeului Ardelean and Others* and *Pop and Others*.