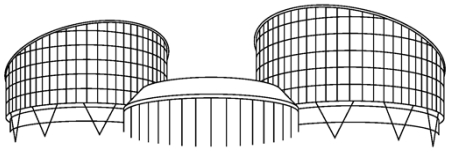

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FOURTH SECTION

CASE OF VĂLEANU AND OTHERS v. ROMANIA

(Applications nos. 59012/17 and 27 others –
see appended list)

JUDGMENT
(Just satisfaction)

Art 41 • Just satisfaction • Award for pecuniary damage sustained from violation of Art 1 P1 in relation to property confiscated or nationalised by the communist regime • Respondent State to ensure, by appropriate means, the enforcement of outstanding judgments in the applicants' favour involving the return of the properties to them or the payment of compensation updated for inflation if established prior to 2013 • Award for pecuniary damage calculated on the basis of a domestic valuation system, established by the national legislative framework (the notarial grids), to be paid failing such enforcement • All relevant amounts due to the applicants as compensation in domestic administrative and/or judicial proceedings already enforced in their favour by the date of the present judgment, to be deducted from the Court's award

Prepared by the Registry. Does not bind the Court.

STRASBOURG

7 January 2025

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Văleanu and Others v. Romania,

The European Court of Human Rights (Fourth Section), sitting as a Chamber composed of:

Faris Vehabović, *Acting President,*
Gabriele Kucsko-Stadlmayer*,*
Armen Harutyunyan,
Tim Eicke,
Anja Seibert-Fohr,
Ana Maria Guerra Martins,
Sebastian Răduleţu*, judges*,

and Simeon Petrovski, *Deputy Section Registrar,*

Having deliberated in private on 15 October, 22 October and 10 December 2024,

Delivers the following judgment, which was adopted on that last-mentioned date:

PROCEDURE

1. The complaints raised in the present applications, mainly under Article 1 of Protocol No. 1 to the Convention, concerned administrative and/or judicial proceedings brought by the applicants under various restitution laws enacted in Romania since 1991, with a view to obtaining restitution or compensation for their property confiscated or nationalised by the communist regime.

2. In a judgment delivered on 8 November 2022 ("the principal judgment"), the Court held that there had been a violation of Article 1 of Protocol No. 1 essentially on account of the respondent State's failure to finalise within a reasonable time the restitution proceedings initiated by the applicants, whether by enforcing the final judgments in their favour or by simply giving a decision on their claims, which were still pending before the relevant authorities, even though their entitlement to compensation had already been established in administrative decisions. In particular, the prolonged non-enforcement of outstanding judgments in the applicants' favour and the lack of an effective remedy in this regard; the annulment of their titles on account of the State's failure to correctly implement the applicable law and without any compensation; and the failure of the authorities to ensure that the compensation awarded was reasonably related to the current value of the property constituted sufficient elements to enable the Court to conclude that, despite the safeguards introduced by Law no. 165/2013 and validated *a priori* by the Court in *Preda and Others v. Romania* (nos. 9584/02 and 7 others, 29 April 2014), the restitution mechanism continued to fall short of being comprehensively effective and convincingly consistent so as not to place an excessive burden on the

applicants (see *Văleanu and Others v. Romania*, nos. 59012/17 and 27 others, §§ 262 and 277, 8 November 2022).

3. Under Article 41 of the Convention, all the applicants requested that the outstanding judgments in their favour be enforced and that the property to which they were entitled be given back to them. Some of the applicants submitted expert valuation reports concerning the property claimed and/or the corresponding loss of use to which they argued they were entitled (ibid., § 275).

4. In its principal judgment, the Court awarded various amounts to those applicants who had claimed compensation in respect of non-pecuniary damage and who had respectively claimed and substantiated their request for the costs and expenses of the proceedings incurred up to the adoption of the principal judgment (ibid., §§ 279 and 280-81). Those amounts are indicated in the appendix to that judgment.

5. Since the question of the application of Article 41 of the Convention was not ready for decision as regards pecuniary damage, the Court reserved it and invited the Government and the applicants to submit, within three months, their written observations on that issue and, in particular, to notify it of any agreement they might reach (ibid., § 278, and point 5 of the operative provisions).

6. The parties did not reach an agreement. Some of the applicants submitted claims in respect of pecuniary damage, while others confirmed that they were maintaining the claims previously submitted to the Court.

The respondent Government filed observations in this regard.

RELEVANT DEVELOPMENTS SINCE THE PRINCIPAL JUDGMENT

I. GENERAL REMARKS BY THE GOVERNMENT

7. The Government indicated that, despite being overwhelmed by the extremely high number of pending restitution claims (more than 2.7 million requests), massive efforts had been made by the domestic authorities to speed up the processing of pending requests and the issuing of decisions based on existing files. For instance, the National Commission for Property Compensation (hereinafter “the NCPC”) had taken 6,489 such decisions in 2021 and 9,351 decisions in 2022. Additional information had been requested in 8,017 files in 2021 and in 7,536 files in 2022.

II. SUBMISSIONS CONCERNING INDIVIDUAL APPLICATIONS

A. Cases concerning non-enforcement of final judgments

8. The Court found in its principal judgment that, in the cases listed below, the applicants had obtained final decisions in their favour which had not been (fully) enforced (see paragraphs 15, 229-30 and 262 of the principal judgment). Those decisions concerned the local commissions' obligation to issue title deeds (ownership titles) and/or grant the applicants possession of the property to which they were entitled (applications listed under nos. 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 16, 21, 22, 24, 28 in the appendix below) or pay them appropriate compensation instead (applications listed as nos. 13, 15 and 27 in the appendix below); or to provide a legal response to their restitution claims (applications listed under nos. 18, 19 and 26 in the appendix below).

9. The relevant updated factual details of each application, where available, are set out below.

1. Failure of the authorities to issue title deeds and/or to grant possession

(a) Argintaru, application no. 12854/18 (listed under no. 2 in the appendix)

10. The applicant submitted that, even though the outstanding judgment in her favour had not yet been enforced, since 2021 she had been notified of her obligation to pay taxes in the amount of 43,505.25 Romanian lei (RON) on the property, despite it not yet being in her possession.

In reply to the Government's submissions (see paragraph 11 below), she reiterated that she had cooperated with the relevant local authorities at every step of the procedure. However, there was no need to further identify the plots of land claimed, since they had been identified as such during the court proceedings terminated by the outstanding judgment given in 2012 (see paragraph 16 of the principal judgment). Moreover, those plots of land were unoccupied and had not been given to other third parties. They were therefore ready to be given back *in natura* to their rightful owner.

11. The Government submitted that, as at 9 May 2023, no relevant progress had been achieved in relation to the applicant's claims, since she had failed to participate in meetings held by the local commission aimed at facilitating the identification of the plots of land to which she was entitled.

(b) Onu, application no. 32541/18 (listed under no. 4 in the appendix)

12. The applicant's heirs submitted that the land at Şovârca Lake was owned by the town of Oancea and was not public property of the State. It was therefore available to be given back to them.

13. The Government submitted that because the land claimed by the applicant's heirs was public property, it first had to be transferred from public to private property of the State with a view to its subsequent transfer to them.

They did not provide any details as to whether such a procedure had been initiated and, if so, what stage it had reached.

(c) Todea and Others, application no. 38992/18 (listed under no. 5. in the appendix)

14. One of the applicants, Romulus Nicolae Todea, died on 16 August 2023. His heir, Mircea Romulus Todea, expressed his wish to pursue the proceedings in his stead.

The applicants submitted that their refusal to accept another (neighbouring) plot of land in exchange for their own (see paragraph 15 below) was justified: on the land proposed to them as an alternative there was a derelict building which had been the headquarters of a fisheries office. Unsuccessful negotiations with the authorities on the handing over of that land, which had lasted until June 2023, had revolved around the fate of the building, with the authorities asking for part of the land to be deducted in exchange for the building and the applicants wanting the building to be demolished at the authorities' expense.

15. The information submitted to the Government by the Cluj County Prefecture referred to the fact that the plot of land originally owned by the applicants had changed in its factual and legal parameters and could therefore no longer be granted to them. Instead, an alternative (neighbouring) plot had been proposed and the applicants had been invited to sign the record of possession on 6 February 2020. They had refused that proposal.

The Government argued that, given the circumstances, no compensation should be awarded to the applicants.

(d) Iuga, application no. 42182/18 (listed under no. 6 in the appendix)

16. The applicant died on 28 February 2023. No heir expressed any wish to pursue the proceedings before the Court in his stead.

17. The Government informed the Court that they had learned of the applicant's death on 13 June 2023 from the General Directorate for Personal Records and Database Management (*Direcția pentru Evidența Persoanelor și Administrarea Bazelor de Date*) pending their attempts to execute the Court's principal judgment. Neither the applicant's representative nor any potential heir had informed them or the Court of his death.

(e) Pintea, application no. 45732/18 (listed under no. 7 in the appendix)

18. In reply to the position expressed by the Government in their letter of April 2024 (see paragraph 85 below), the applicant submitted his just satisfaction claims on the basis of the relevant 2024 notarial grids.

19. A letter from the Cluj County Prefecture dated 19 September 2022, submitted to the Court by the Government, stated that an exchange of documents relating to the applicant's request had taken place between the local and county commissions. At the date of the latest information available to the Court (August 2023), the procedure was ongoing.

(f) Enescu and Others, application no. 52852/18 (listed under no. 9 in the appendix)

20. The applicants indicated that they had been given possession of the land on 27 September 2021.

21. The Government pointed out that on 9 November 2021 the Bucharest mayor's office had issued the title deed for the plot of land claimed by the applicants and identified by an expert report issued in 2020, a plot of land which they had already received on 27 September 2021.

They therefore asked that the applicants' just satisfaction claims be struck out.

(g) Marcu, application no. 59503/18, and Albuleț, application no. 2556/19 (listed under nos. 10 and 12 in the appendix respectively)

22. The applicants submitted that the 23 ha of forest land to which they were entitled was available and free to use and that they should therefore be given back their land.

23. The Government indicated that, out of the 23 ha of forest land to which the applicants were entitled, 5 ha had been returned to them on 7 October 2013; a further 6 ha, currently owned by the town of Predeal, had been proposed for transfer and the proposal was in the process of being validated before the Brașov county commission; the same procedure was ongoing in respect of a total of 6.50 ha of grassland (two plots of 5 ha and 1.50 ha respectively); and, lastly, 5 ha of forest land was being managed by the State entity Azuga Forest Administration (*Romsilva*).

(h) Ifrim, application no. 1369/19 (listed under no. 11 in the appendix)

24. The applicant did not submit any updated information or claims relating to her property (0.27 ha of forest land).

25. The Government indicated that, according to the information received from the relevant local authorities, while the applicant had been in *de facto* possession of the land, the Podul Turcului and Boghești local commissions had referred to each other the authority to enforce the outstanding judgment in her favour. The procedure was still pending.

(i) Association "Composesoratul Borșa", application no. 16060/19 (listed under no. 14 in the appendix)

26. Following a civil action initiated by the applicant association in 2016 seeking the annulment of a title deed and ancillary documents unlawfully issued to a different association (*composesorat*) in respect of a 6,056.95 ha plot of forest land, claims allowed by the domestic courts on 28 June 2023, the applicant association became the owner of the relevant plot of land. However, according to the applicant association, the national authorities had not identified the appropriate procedure for the actual handing over of that forest.

27. The applicant association reiterated that, since the very purpose of an association was to ensure sustainable forest management, its very existence was undermined by the fact that it did not own any forest (land). It therefore asked that the forest land be returned in kind.

Such action by the relevant authorities was feasible, as also evidenced by the expert report submitted by the applicant association indicating that the public property of the State included sufficient forest land in the relevant area enabling it to make the required forest land (10,943.08 ha) available to the applicant association. The report also indicated various plots of forest land that could potentially satisfy the applicant association's claims.

28. The Government indicated that proceedings were pending before the domestic courts challenging the applicant association's right to the 17,000 ha of forest land; in particular, the proceedings concerned the annulment of the applicant association's title deeds in respect of the forest land and a review of the judgment that had granted them property rights over the 17,000 ha of forest land relevant in the present case.

(j) Danci, application no. 20341/19 (listed under no. 16 in the appendix)

29. The applicant's heir maintained her claims for just satisfaction as submitted in the previous stages of the proceedings.

30. The Government indicated that following the applicant's refusal to accept the Borșa local commission's invitation of 15 March 2016 aimed at clarifying her position on the possibility of being granted another plot of land or receiving compensation in accordance with Law no. 165/2013 (hereinafter "the Law"), no further steps could be taken with regard to her claims (see also paragraph 59 of the principal judgment).

(k) Ovidiu Paul Ştefănescu, application no. 27761/19 (listed under no. 21 in the appendix)

31. In reply to the Government's updated submissions sent in April 2024 (see paragraph 32 below), the applicant also updated his just satisfaction claims on the basis of the relevant 2024 notarial grids, referring only to 66.22 ha of land.

32. The Government indicated that on 21 October 2022 the applicant had received a title deed for the 8.80 ha plots of agricultural land and pastureland of which he had been granted possession in 2015 (see paragraph 63 of the principal judgment). As regards the remaining land to which he was entitled, namely 66.22 ha of forest land, a procedure was underway with a view to transferring it from public to private property of the State.

(l) Şendroiu, application no. 28615/19 (listed under no. 22 in the appendix)

33. The applicant confirmed that he had applied for the annulment of the two title deeds referred to by the Government (see paragraph 34 below) and that the relevant proceedings were ongoing. He submitted that, to date, the outstanding judgments in his favour had not been enforced, even though since 1991 he had been paying property tax on the land to which he was entitled but which he still did not own. Without indicating a specific tax amount or otherwise substantiating the latter assertion, the applicant requested that it should be taken into account by the Court as an element justifying his entitlement to just satisfaction.

34. The Government reiterated that the authorities had issued two title deeds in respect of the agricultural land, the first for 2.90 ha of land (dated 7 March 2019) and another for 0.21 ha of land (dated 11 June 2019; see also paragraph 70 of the principal judgment). The procedure for issuing the corresponding title deeds in respect of the forest land to which the applicant was entitled (1.25 ha) was still ongoing, pending the transfer of the land from public to private property of the State.

(m) Stoiculescu, application no. 33596/19 (listed under no. 24 in the appendix)

35. The applicant requested that the outstanding judgment in his favour be enforced. In his latest letter to the Court, dated 4 December 2023, he did not expressly refer to the information submitted by the Government about the 2023 title deed. He did, however, again refer to various other plots of land which were not part of the subject matter decided by the Court in its principal judgment and to which he claimed to be entitled.

36. The Government submitted that on 27 November 2023 the relevant county commission had issued a title deed for 0.25 ha of land in accordance with the outstanding judgment of 22 June 1998. On 30 October 2023 the applicant was granted possession of that land. However, he challenged the 2023 title deed before the domestic courts as regards its location. Those proceedings were pending before the Caracal First Instance Court.

Pending the outcome of those proceedings, on 13 March 2024 the applicant leased (*arendă*) 0.15 ha of the land included in the 2023 title deed.

(n) Lie, application no. 43586/19 (listed under no. 28 in the appendix)

37. The applicant submitted that the domestic proceedings seeking to challenge the alternative proposals made by the local commission were still pending before the domestic courts.

38. The Government submitted that because the applicant and other heirs did not know the exact location of the plot of land that had belonged to their predecessor, the authorities had offered them land as compensation; the applicant was the only one of all the heirs who had refused the proposal and had not signed the minutes confirming the taking possession of the land.

2. Failure of the authorities to establish an amount in respect of compensation and/or to pay such compensation

(a) Nicolaiescu, application no. 15930/19 (listed under no. 13 in the appendix)

39. The applicant did not submit any updated information or claims relating to his property.

40. The information submitted to the Government by the local relevant authorities indicated that they were unable to return to the applicant in kind the 1,820 sq. m of land to which he was entitled, as there was no land (reserve) available within their jurisdiction. On 12 February 2021 the local commission's proposal to award the applicant compensation was forwarded to the National Agency for Property Restitution (*Autoritatea Naţională pentru Restituirea Proprietăţilor* – "the NAPR") for further assessment.

(b) Mihaela Ştefănescu, application no. 16337/19 (listed under no. 15 in the appendix)

41. The applicant did not submit any just satisfaction claims or comments in reply to the Government's submissions.

42. The Government indicated that on 8 February 2023 the applicant, on the one hand, and the Ploiești mayor's office, on the other, had signed an agreement for the taking over of a plot of land (*protocol de predare-preluare*) which had been granted to the applicant as compensation. In particular, in a decision issued by the mayor on 12 December 2022, the applicant had been granted possession of two equivalent plots of land, covering a total surface area of 10,865.56 sq. m, as indicated in the outstanding decision of the Prahova County Court issued in 2014 (see paragraph 88 of the principal judgment). As at 28 April 2023 the applicant's right of ownership had not yet been registered in the Land Register, so no record of possession of the land had yet been issued.

Given that the applicant had taken over an equivalent plot of land, the Government asked the Court not to award the applicant any compensation in respect of pecuniary damage.

(c) Marcea, application no. 36372/19 (listed under no. 27 in the appendix)

43. In a letter dated 8 February 2023, the applicant's heirs requested to be awarded half the amount of RON 1,428,734.50, as per the NCPC's compensation decision issued on 18 November 2009 on the basis of the final decision given on 9 February 2007 by the High Court of Cassation and Justice ("the HCCJ").

44. The Government indicated that on 18 November 2019 a compensation certificate for the amount of RON 257,183.63 had been issued in favour of one of the applicant's heirs, Mr Mihai Marcea. On 2 May 2023 the (first) payment certificate had been issued to him for RON 71,436.73. Its execution had been suspended pursuant to Emergency Government Ordinance no. 90/2023 (hereinafter "the EGO", see paragraph 76 below).

3. Failure of the authorities to issue a decision on the applicants' restitution claims under the Law

(a) Moisă, application no. 23253/19, and Țiplea, application no. 23256/19 (listed under nos. 18 and 19 in the appendix)

45. The applicants submitted an updated expert report in support of their claims in respect of pecuniary damage.

46. The Government confirmed that the applicants' file was pending before the NCPC (see also paragraph 102 of the principal judgment).

(b) Tătărău, application no. 34474/19 (listed under no. 26 in the appendix)

47. On 23 April 2024 the applicant informed the Court that the NAPR had issued a compensation decision on 10 August 2023 for a total amount of RON 785,294. On 1 April 2024 the (first) payment certificate had been issued in her name in the amount of RON 157,058.80 (approximately 31,600 euros (EUR)). She submitted that the amount awarded in the compensation decision was not in accordance with the market value of the property (EUR 220,000, according to her calculations).

48. The Government indicated that on 16 May 2022 the Bucharest mayor had issued a compensation decision awarding the applicant points in respect of the 307 sq. m of land to which she was entitled. That decision and the relevant documents had been submitted to the NAPR for further action and a decision.

B. Cases concerning insufficient compensation

49. In the principal judgment (see paragraphs 242-44 and 262 of that judgment), the Court found, in the applications listed under nos. 1, 8 and 17 in the appendix below, that the amounts awarded to the applicants in compensation had not been reasonably related to the value of the property within the meaning of the Court's case-law.

50. The relevant submissions put forward by the parties are set out below.

1. Văleanu, application no. 59012/17 (listed under no. 1 in the appendix)

51. The applicant argued that the only acceptable compensation for the property she had lost would be an amount calculated in accordance with the current market value of that property.

52. The Government pointed out that the most recent valuation of the applicant's property, based on the 2022-2023 notarial grids, indicated a value almost twice as high as the sum of RON 13,301 calculated using the 2013 notarial grid. In any event, they submitted that the applicant had already cashed in the above-mentioned amount, which had been awarded to her as compensation by the NCPC (see paragraph 111 of the principal judgment).

2. Strugaru, application no. 47070/18 (listed under no. 8 in the appendix)

53. The applicant reiterated her submissions as detailed in the principal judgment (see paragraphs 113-116 of that judgment), arguing that the amount awarded by the domestic courts in compensation had been derisory and that she should have been awarded an amount in accordance with the real market value of the property.

54. The Government indicated that the 5 July 2018 compensation decision issued by the NCPC awarding the applicant 15,200 points (the equivalent of RON 15,200) had not been enforced by her, as she had not yet cashed it in.

3. Cobzaru, application no. 21500/19 (listed under no. 17 in the appendix)

55. The applicant maintained that amount awarded to her by the NCPC in compensation for her predecessors' property had been much lower than the market value of that property and therefore unfair.

56. The Government indicated that the amount awarded in compensation to the applicant on 31 January 2017 by the NCPC had been issued in the form of five payment certificates on 11 March 2019, 13 April 2020, 12 April 2021, 28 March 2022 and 6 February 2023 respectively. While the first four had been cashed in by the applicant, the execution of the last had been suspended in accordance with the EGO (see paragraph 76 below).

C. Cases concerning the annulment of the applicants' titles

57. With regard to the applications listed under nos. 3, 20 and 25 in the appendix below, the Court found in its principal judgment that the annulment of the applicants' titles on account of the State authorities' failure to comply with the legal provisions governing the procedure for issuing title deeds,

without any compensation, had placed an excessive individual burden on the applicants (see paragraphs 252-53 and 262 of the principal judgment).

58. The relevant factual and/or legal updates submitted by the parties, if any, are set out below.

1. Ionescu and Others, application no. 28856/18 (listed under no. 3 in the appendix)

59. The applicants did not submit any updated information or observations relating to the Article 41 proceedings. At the merits stage of the procedure before the Court, they submitted a valuation report of the land claimed, which was carried out in 2021.

60. The Government submitted that on 3 February 2022 the Craiova local commission had asked the county commission to approve the applicant's request for land. The latter commission had examined the request on 29 June 2023. The procedure for granting/taking possession of the land was currently pending before the County Prefecture (*Instituţia Prefectului*).

2. Nicolicea and Others, application no. 25503/19 (listed under no. 20 in the appendix)

61. Three of all applicants, namely Maria Grigorescu, Floarea Oltean and Lucreţia Boarti, died respectively in 2019, 2021 and 2023. Their heirs, listed under 20 in the appendix, expressed their wish to pursue the proceedings in their stead.

The applicants submitted that they had been in possession of the land since 1991 and 1992 and that their right had not been challenged by any State authority or other third party until 2004, when the State had claimed that their land was part of its public property (see paragraph 123 of the principal judgment). They claimed that their right of ownership should be acknowledged and that the land should be given back to them in kind, since it was free of any hydrotechnical or water-related infrastructure that would justify a public interest in keeping the land in public ownership.

62. The Government submitted that, according to information provided by the Florești mayor's office on 3 May 2023, the annulment of the applicants' title deeds had not been recorded in the Land Register.

3. Ciotu, application no. 34359/19 (listed under no. 25 in the appendix)

63. The applicant argued that her possession of the land was a strong argument for her claim to have the property returned to her in kind.

64. The Government submitted that even though the applicant's title deed to the land had been annulled in 2018, she was still in possession of the land and continued to use it.

D. Case concerning lack of compensation for loss of use

Botez, application no. 31613/19 (listed under no. 23 in the appendix)

65. In the principal judgment, the Court found with regard to the case of *Botez v. Romania* (application no. 31613/19, listed under no. 23 in the appendix below) that the domestic courts had failed to acknowledge her right to compensation for loss of use of property to which she had long been entitled but of which she had not yet been granted possession owing to the deficiencies of the restitution mechanism (see paragraphs 260 and 262 of the principal judgment). This had placed a disproportionate and excessive burden on her.

66. The relevant updated submissions of the parties are summarised below.

67. The applicant claimed the amount of RON 43,312.38 awarded to her by the Focșani District Court for loss of use of the land for the period 2012-2015 (see paragraph 136 of the principal judgment), which she argued had to be adjusted in line with the rate of inflation. Furthermore, given that the 3.3455 ha of land to which she was entitled had still not been given back to her, she claimed compensation at the market value of that land. She further asked to be given back the amount she had paid as tax for the land she had never been able to use.

68. The Government indicated that the land in the present case, for which a title deed had been issued in 2017, belonged to the applicant and had been declared in her tax proceedings.

RELEVANT DOMESTIC LAW AND PRACTICE

69. With regard to the calculation and payment of compensation due for properties claimed under the restitution laws, Article 21 § 6 and Article 41 of Law no. 165/2013 play a significant role. In their current version, they read as follows:

Article 21

"...(6) The value of the immovable property for which compensation is awarded is expressed in points and is established by applying the notarial grids in force for the year preceding the decision of the [NCPC], taking into account the location and technical specifications of the property (including land use and type of construction) relevant at the time of the deprivation/expropriation. One point is worth RON 1 ..."

Article 41

"(1) The amount of compensation awarded and approved by the NCPC prior to the entry into force of the Law, or by the courts in judgments which have become final by that date, shall be paid in equal annual instalments over a period of five years, as of 1 January 2014.

(2[1]) As of 1 January 2017, the amount of an instalment may be no less than RON 20,000 ..."

70. In addition to the body of legislation and relevant practice summarised and referred to in the principal judgment (see paragraphs 139-176 of that judgment), there are several other legal provisions which are relevant to the present case and which are set out below.

I. LAW NO. 165/2013 – RELEVANT LEGAL UPDATES

A. Article 6 § 5, as amended on 14 July 2023, establishing clearer responsibilities in the procedure for the transfer of land from public to private property of the State

71. Following the latest amendments to Article 6 of Law no. 165/2013, the relevant institutions authorised to initiate the transfer procedure are the Ministry of Agriculture and Rural Development and the NAPR in the case of agricultural land, and the Ministry of Environment, Water and Forests and the NAPR in the case of forest land. These authorities act on the proposal of the county land commission or, where appropriate, of the Bucharest municipality land commission. The identification data of the land proposed for transfer must be provided by the owners of the land.

B. Article 43[1]

72. On 20 October 2023 Article 43 was supplemented by a new paragraph, Article 43[1]. Under that provision, persons in respect of whom the courts had issued final court decisions on the existence and extent of the right and on the status of the person entitled, and who had not submitted claims under Law no. 10/2001 (see paragraph 75 below), could submit applications for the granting of compensatory measures by points to the NAPR.

Such applications had to be lodged within six months of the entry into force of the law.

C. Article 31 § 1

73. On 10 December 2023 Article 31 § 1 of the Law was amended to provide for a time-limit of three years from the date of notification (and not from the date of issue, as previously provided for by the Law) of the compensation decision within which the holder of the points could ask for their redemption in cash.

D. Amendments underway

74. According to the Government, further amendments are underway to ensure that beneficiaries of compensatory measures receive compensation

calculated in accordance with the notarial grids closest to the date of actual receipt of that compensation.

In particular, draft legislation PL-x no. 354/2023, which was adopted by the Senate on 16 May 2023, is currently pending before the Chamber of Deputies. It aims to amend Article 21 § 6 of the Law with a new paragraph, Article 21 § 6^3, which provides that in the event that the domestic courts allow the claimants' challenge against the NCPC's compensation decision, the property will be valued on the basis of the notarial grids relevant for the year preceding the date of the court decision. Other related amendments are proposed to Article 35 § 3 of the Law, which refer back to the new paragraph Article 21 § 6^3.

II. LAW NO. 10/2001

75. Article 10 of Law no. 10/2001 refers, *inter alia*, to the situation of buildings which have been unlawfully taken over and the structures erected on the land have been wholly or partially demolished. It provides that, in such situations, restitution in kind is to be ordered for vacant land and buildings which have not been demolished, and that restitution in the form of compensation is to be determined for demolished buildings and occupied land. Under Article 21 of Law no. 165/2013, that compensation is to be calculated as per the notarial grids relevant for the year preceding the date of the court decision.

III. EMERGENCY GOVERNMENT ORDINANCE NO. 90/2023

76. EGO no. 90/2023, which aimed to reduce public expenditure in 2023 and entered into force on 27 October 2023, established in its Article V § 2 that the issuance of payment certificates pursuant to Law no. 165/2013 (see paragraphs 69 and 71-73 above) would be suspended from 1 November 2023 until 31 March 2024. Likewise, Article V § 1 stated that the amounts determined by the payment certificates issued by the NAPR until 31 October 2023 and not paid by the Ministry of Finance would be paid as of 1 April 2024.

IV. RELEVANT LEGAL PROVISIONS REGULATING THE VALUATION OF PROPERTY BY MEANS OF NOTARIAL GRIDS

A. Tax Code

77. The notarial grids are referred to and defined in Article 111 § 5 of the Tax Code, which came into force on 1 January 2016. It reads as follows:

Article 111

"(5) At least once a year, the Chambers of Notaries shall update the notarial grids (market surveys) carried out by legally authorised valuers, which shall include information on the minimum values recorded on the specific property market during the previous year, and shall send them to the Regional General Directorates of Public Finance of the National Tax Administration Agency (ANAF)."

The previous version of the Tax Code, which remained in force until 31 December 2015, made general reference to valuations based on the market values of property, without specifying a minimum value.

B. Explanatory Rules (*norme metodologice*) for the application of the Tax Code

78. The Explanatory Rules (*norme metodologice*) for the application of the Tax Code, which have been in force since 13 January 2016, provide a description and explanation of the relevant concepts used in the Tax Code, as well as guidance on the application of those concepts. Article 33 § 4 provides as follows:

"The notarial grids (market surveys) are a collection of information from the real estate market regarding the supply/demand and market values of property subject to transfer of ownership in accordance with the provisions of Article 111 of the Tax Code. They shall contain information on the minimum values recorded on the real estate market in the previous year, by type of property, category of locality... or areas within the locality or locality district. The market surveys are sent by the Chambers of Notaries to the Regional General Directorates of Public Finance of [ANAF] after each update. They are then used from the first day of the following month."

C. Decision no. 74/2022 of the Board of the National Association of Authorised Valuers of Romania (ANEVAR) approving the recommendations for the notarial grids (market surveys) referred to in Article 111 of the Tax Code

79. The above-mentioned decision no. 74/2022, which has been in force since 18 October 2022, approved the recommendations set out in its annex on the preparation of market surveys referred to in Article 111 of the Tax Code (see paragraph 77 above).

80. The relevant information included in the annex emphasises repeatedly that the aforementioned market surveys cannot be assimilated to regular property valuation reports, as they are based on information about the minimum values recorded on the specific real estate market in the previous year. In other words, market surveys do not involve a value estimation process, but rather a presentation of market information, different from the "market value" of the property, collected according to the types of properties being surveyed and selected by the authorised valuer on the basis of the requirements of the Chambers of Notaries.

These market surveys are based on various sources of information referring to prices of transactions recorded in the previous year, such as data/information from property transfer documents recorded in the registers of the territorial administrative unit and the Land Register in whose geographical area the property subject to the market survey is located, and information collected from bailiffs, courts, liquidators, notaries and so forth. If information from the above sources is not available, verified and unadjusted price offers may also be used. All sources are specified in the market surveys.

For property types/sub-types for which there is no information on minimum values recorded in the previous year, a minimum value is not selected.

V. RELEVANT DOMESTIC PRACTICE

A. Decision no. 57 of 5 December 2022 of the High Court of Cassation and Justice ("the HCCJ")

81. Following a request for a preliminary ruling settling legal matters (*hotărâre prealabilă pentru dezlegarea unor chestiuni de drept*), the HCCJ delivered judgment no. 57 of 5 December 2022. The dispute concerned a challenge to a compensation decision issued by the NCPC. The HCCJ stated that the correct application of Article 21 § 6 of Law no. 165/2013 (see paragraph 69 above) required the valuation of the property to be carried out on the basis of the notarial grids in force in the year preceding the issue of the compensation decision by the NCPC which was being appealed against.

B. Decision no. 48 of 26 June 2023 of the HCCJ

82. On 26 June 2023 the HCCJ rejected a request for a preliminary ruling as inadmissible. The question raised concerned the valuation criteria to be taken into consideration by the domestic court in determining the amount of compensation by points, when the NCPC had not yet – on the date on which the action was filed or subsequently – settled the case by issuing a compensation decision: the current market value of the property, the value of the property according to the notarial grids for the year preceding the date of the court decision or the date of the judgment at first instance, or the value of the property according to the 2013 notarial grids.

The HCCJ found that the question raised did not comply with the novelty requirement, as the Court had already established in paragraph 237 of the *Văleanu* judgment that it was not unreasonable to calculate compensation by reference to the valuations established by the relevant Chamber of Notaries in the year prior to the decision on compensation. The HCCJ specified that

> "The conclusion to be drawn from [the Court's] reasoning does not invalidate the application of the provisions of the special law in their substance."

THE LAW

83. Article 41 of the Convention provides:

> "If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

I. LOCUS STANDI

84. The heirs of (some of) the applicants in applications nos. 38992/18 and 25503/19 (see paragraphs 14 and 61 above; see also the applications listed under nos. 5 and 20 in the appendix) informed the Court of those applicants' deaths and, as their close relatives, expressed the intention to continue in their stead. The Government did not object to this.

Having regard to the close family ties that Mr Mircea Romulus Todea had with the deceased applicant Mr Romulus Nicolae Todea (application nos. 38992/18); that Mr Sorin Constantin Grigorescu had with the deceased applicant Ms Maria Grigorescu; that Ms Anca Simona Banc-Oltean, Mr Ciprian Oltean, Mr Octavian Vasile Oltean and Ms Zoiţa Mihaela Oltean had with the deceased applicant Floarea Oltean; and that Ms Valeria-Zoriţa Pastor and Ms Gabriela Carmen Boarti had with the deceased applicant Lucreția Boarti (all in application no. 25503/19) and to their legitimate interest in pursuing the applications concerning fundamental human rights, the Court considers that the deceased applicants' heirs may pursue the applications in their stead (see, among other authorities, *Murray v. the Netherlands* [GC], no. 10511/10, § 79, 26 April 2016). It will therefore continue to deal with the deceased applicants' complaints, at the heirs' request (see appendix).

II. PECUNIARY DAMAGE

A. The parties' submissions

1. The Government's general submissions

85. On 3 July 2023 the Government submitted a first set of observations of a principled nature concerning the mechanism for calculating the compensation to which claimants such as the applicants are entitled under the Law. They also provided relevant information concerning several of the applicants concerned by the present case (see paragraphs 11, 13, 15, 17, 18, 21, 23, 25, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 52, 54, 56, 60, 62, 64

and 68 above and paragraphs 95-100 below), including valuations of all the properties claimed by the applicants, as per the 2022 notarial grids. On 8 April 2024 the Government submitted updated valuations of the properties claimed by the applicants, based on the relevant notarial grids for 2022 or, where available, 2023. These showed a slight increase in the amounts corresponding to each property compared to the previous valuations. As a general remark, the Government indicated that there were increases of an average of 50% in values in the 2021 notarial grids compared to those in 2013.

86. The Government stressed that, in their view, the only valid and feasible method for calculating the value of property in the context of the restitution mechanism was that based on the (updated) notarial grids (see paragraphs 77-80 above). To proceed otherwise by awarding compensation in line with the market value of a property would have a significant negative impact on the State budget and ultimately on the restitution mechanism as a whole.

Furthermore, the notarial grids, which were constantly updated by independent experts, were a predictable and transparent tool, publicly available on the official website of the National Union of Notaries Public. They were easy to rely on and prevented any reliance on arbitrary property valuations, such as those based on advertisements and other subjective criteria, rather than the actual sale value. Furthermore, if the grids were not taken into account, separate and substantial funds would have to be allocated for experts appointed to produce reports on a case-by-case basis, and the restitution process would become even more lengthy and unpredictable.

The legislative amendment requiring that all compensation be calculated by reference to the valuations established by the relevant Chamber of Notaries in the year prior to the decision on compensation (see paragraph 74 above) was an additional important argument in favour of using that valuation tool, which provided a fair outcome.

87. Lastly, the Government submitted that in paragraph 237 of the principal judgment, the Court itself "had given a positive assessment of the use of notarial grids" in calculating compensation. Similarly, it had repeatedly accepted that compensation for deprivation of property in the context of restitution proceedings could be capped so as to ensure a fair balance between individual interests on the one hand and the State's budgetary constraints on the other. The State had to be allowed to have a wide margin of appreciation in this matter.

88. As regards the criteria relating to the property's location and the technical specifications relevant at the time of the deprivation, the Government argued that their elimination might create difficulties in the process of determining fair and appropriate compensation, the risk being that excessive amounts would be awarded.

2. The applicants' general submissions

89. The applicants requested that the outstanding judgments in their favour be enforced without further delay, where possible by restitution in kind. Several applicants presented their just satisfaction claims in close connection with updated factual information (see in particular paragraphs 10, 12, 18, 22, 27, 29, 31, 35, 43, 45, 47, 51, 53, 55, 61, 63 and 67 above).

90. The applicants who submitted observations under Article 41 challenged the validity and relevance of the notarial grids for the valuation of their properties, claiming that those valuations indicated minimum values to be taken into account for taxation purposes. Those values were significantly different from the real market value of the property.

91. Several applicants (listed under nos. 2, 4, 5, 8, 9, 10, 12, 14, 16, 18, 19, 20, 22 and 24 in the appendix below) claimed damages for loss of use of their property and/or penalties for delayed enforcement and/or loss of income/profit from their property.

3. The parties' specific submissions in Association "Composesoratul Borșa", application no. 16060/19 (listed under no. 14 in the appendix)

(a) The applicant association

92. In its submissions of 3 September 2023, the applicant association reiterated its preference for the return in kind of the property claimed, namely 17,000 ha of forest land. It indicated that there was sufficient available land to allow the authorities to give the land back to its rightful owner.

Subsidiarily, it made a claim in respect of pecuniary damage, including both *damnum emergens* (actual loss suffered) and *lucrum cessans* (potential loss), as set out in a report drawn up on 29 August 2023 by two experts, G.A. and I.A., which updated the claims it had previously submitted.

For the *damnum emergens*, the report used two valuation methods: one was based on the relevant notarial grids of 2023, while the other was based on the valuation criteria set out in Order no. 694/2016 of the Minister of Environment, Waters and Forests concerning the method for determining the value equivalence of land and calculating the financial obligations for permanent removal or temporary occupation of land by the National Forestry Fund. Both valuation methods and calculations included the value of the forest vegetation in the final amount. The first valuation method, suggested by the expert as the more appropriate one, resulted in an amount of RON 719,791,513.24 (approximately EUR 145,830,769.73), while the second method resulted in an amount of RON 689,411,956.70 (approximately EUR 139,675,828.98).

The valuation of the *lucrum cessans* (loss of use of the property) for a period of nineteen years, in relation to the total volume of timber that could have been harvested during that time, was estimated at approximately

618,636 cubic metres, valued at RON 190,855,083.85 (approximately EUR 38,667,507.57).

The amount of compensation that the applicant association would have been entitled to collect with the aim of protecting the area, calculated from 2009 to the date of the report, was RON 37,625,951.398 (approximately EUR 7,623,070.23); the amount of subsidies from the Agricultural Payments and Intervention Agency (*Agenția de Plăți și Intervenție pentru Agricultură* – "the APIA") was RON 6,935,092.6 (approximately EUR 1,405,059.50).

In view of the two different calculation methods and, consequently, the resulting slightly different totals, the applicant association opted to claim the average of the two amounts as full compensation in respect of pecuniary damage, namely EUR 190,458,195.80.

93. With regard to the Government's legal arguments challenging the authority of the two experts and the method used by them to assess the value of the forest land (see paragraph 99 below), the applicant association submitted that the Government had relied on legal provisions which had not been in force at the time when the impugned valuation report had been issued and that, in fact, the provisions in question had entered into force on 19 January 2024.

94. The position of the two experts in reply to the objections raised by the Government was submitted by the applicant association on 9 February 2024. They presented their qualifications entitling them to give expert opinions in the field of forestry (*silvicultură*), including before the domestic courts. They detailed the various relevant legal provisions on which the report was based, justifying their reliance on those provisions rather than those indicated by the Government. In particular, they indicated that the normal rules for the valuation of real estate were not appropriate in the present case: the property in question was of a particular nature (17,000 ha of forest land) and the transactions on the market were all tainted by the fact that the State had pre-emptive rights, which significantly reduced the amounts paid for similar properties. They also indicated that they had taken a similar approach in drawing up an expert report for the purposes of domestic court proceedings involving the applicant association and local authorities, and that their approach had been accepted by that court.

(b) The Government

95. The Government submitted several sets of observations in relation to this application, on 4 September and 4 December 2023 and on 13 February and 8 April 2024.

96. They requested that the Court take note of the applicant association's express wish to benefit from restitution in kind, which they considered to be "the only solution" in their case.

97. The Government also provided various amounts for the valuation of the property claimed, based on the values given by the NAPR for the

17,000 ha of forest land and the forest on it. In their observations sent on 13 February 2024, they indicated that on the basis of the 2022 notarial grid, the value was RON 238,003,900 (approximately EUR 47,600,780), and on the basis of the 2023 notarial grids, that value was RON 272,000,000 (approximately EUR 54,000,000), an increase of 13% over the previous year: "There was, therefore, a significant rise in the valuation of the litigious plots of land that compensates for the passage of time, represented by a rise of approx. 6.400.000 EUR in the value from one year to the next (a 13% rise year-on-year)".

98. As regards the applicant association's claims for loss of profit, the Government considered that they should not be accepted in view of the ongoing domestic proceedings relating to similar claims. They submitted that the applicant association had brought 175 actions against, *inter alia*, the Borsa mayor, the Maramures City Council and the State, represented by the Ministry of Public Finance, seeking damages amounting to RON 235,416,127.84 for loss of profit and RON 11,439,000 in compensation for non-pecuniary damage.

99. The Government also challenged the authority of the two experts who had drawn up the valuation report submitted by the applicant association in support of its claim in respect of pecuniary damage. They claimed that, under the relevant legislation, namely Ministry of Justice Order no. 1190/13 of July 2023, which had replaced, but had not substantially and relevantly changed, Order no. 199/2010, such a valuation should have been carried out by a real estate valuer and not by a forestry expert, whose field of interest was the science and practice of planting and maintaining forests and not the valuation of real estate. The report also relied on questionable and irrelevant criteria: the statistical volume of timber in forest development areas, assessed on the basis of a hypothetical perimeter; all timber was considered harvestable and recoverable (*valorificabil*) at the average market price, even though, under the law, only a small part of it was recoverable, and the price was established by law.

100. The Government further submitted that the value indicated by the applicant association included an amount representing State aid in the forestry sector. The information submitted on 19 December 2023 by the APIA (see paragraph 92 above) indicated, however, that the applicant association had never lodged any eligible claim in that regard, which would have given that authority the opportunity to verify compliance with the legal requirements for the granting of the aid, including, in particular, the requirement that the claimant had to be the owner of the forest. The claim before the Court was therefore speculative.

Similarly, the claims for loss of use of the land in question were speculative, as the Court had found in several similar cases (the Government cited, in particular, *Drăculeţ v. Romania* (just satisfaction), no. 20294/02, 5 February 2009; *Ana Ionescu and Others v. Romania*, nos. 19788/03 and 18

others, 26 February 2019; and *Preda and Others v. Romania*, nos. 9584/02 and 7 others, 29 April 2014).

B. The Court's assessment

1. Preliminary issues

(a) Striking out: death of the applicant in Iuga, application no. 42182/18 (listed under no. 6 in the appendix)

101. Having regard to the fact that the applicant died on 28 February 2023 (see paragraph 16 above), on 21 September 2023 the registry of the Court sent a letter to the applicant's representative, asking him for information about any potential heirs who would be willing to pursue the proceedings in his stead.

102. In a letter dated 20 October 2023 the lawyer asked for an extension to prepare all the required documents proving the capacity of the applicant's heir, who lived abroad. The deadline for the submission of the required documents was consequently extended until 20 November 2023. The applicant party's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. On 2 November 2023 the applicant's lawyer received that letter via the Court's electronic communication service (eComms). No further reply was received.

103. In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court considers, in accordance with Article 37 § 1 (a) of the Convention, that it is no longer justified to continue the examination of the application (see *Vod Baur Impex S.R.L. v. Romania* (just satisfaction – striking out), no. 17060/15, § 9, 6 June 2023, with further references).

Accordingly, the application no. 42182/18 should be struck out of the list as regards the reserved Article 41 procedure.

(b) Matter resolved: Enescu and Others, application no. 52852/18 (listed under no. 9 in the appendix), Mihaela Ștefănescu, application no. 16337/19 (listed under no. 15 in the appendix), and Stoiculescu, application no. 33596/19 (listed under no. 24 in the appendix)

104. The Government submitted that the relevant outstanding decisions in the applicants' favour in applications nos. 52852/18, 16337/19, 33596/19 had been enforced (see paragraphs 21, 42 and 36 above, in this order). The applicants did not deny or otherwise challenge that submission. The applicants in application no. 52852/18 amended their just satisfaction claims to request only compensation for loss of use and/or the delayed enforcement (see appendix).

105. The Court takes note that, albeit with some delay, which must be seen in the general context of the subject matter in question (see paragraphs 202 and 209 of the principal judgment), the outstanding judgments in the applicants' favour in the applications listed under nos. 9, 15 and 24 in the appendix have in the meantime been enforced (see paragraphs 20-21, 42 and 36 above, in this order). Having regard to the above considerations and to the amended claims submitted by the applicants (see paragraph 104 above), and while clarifying that its present conclusion is without prejudice to the possible pending proceedings lodged by the applicants concerning the enforcement of the outstanding judgments such as those seeking damages for loss of use of their property and/or for the delayed enforcement of the outstanding judgment, the Court considers that the matter has been resolved in accordance with Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and its Protocols does not require it to continue the examination of the applications under Article 37 § 1 *in fine*.

(c) Conclusion

106. Accordingly, the Court will pursue the examination of the applications listed under nos. 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27 and 28 in the appendix.

At the same time, it considers that applications listed under nos. 6, 9, 15 and 24 in the appendix should be struck out of the Court's list of cases as regards the reserved Article 41 procedure.

2. Pecuniary damage

(a) General principles

107. The applicable principles have been summarised in the Court's judgment in *Molla Sali v. Greece* ((just satisfaction) [GC], no. 20452/14, § 32, 18 June 2020; see also the references cited therein). Essentially, a judgment in which the Court finds a breach imposes on the respondent State a legal obligation to put an end to the breach and make reparation for its consequences in such a way as to restore as far as possible the situation existing before the breach. If the nature of the breach allows for *restitutio in integrum*, it is for the respondent State to effect it, the Court having neither the power nor the practical possibility of doing so itself. If, on the other hand, national law does not allow – or allows only partial – reparation to be made for the consequences of the breach, Article 41 empowers the Court to afford the injured party such satisfaction as appears to it to be appropriate. The Court enjoys a certain discretion in the exercise of that power, as the adjective "just" and the phrase "if necessary" attest.

(b) Application of those principles to the present case

108. The Court reiterates that, in its principal judgment, it found a violation of Article 1 of Protocol No. 1 to the Convention on the following grounds: the prolonged non-enforcement of outstanding judgments in the applicants' favour and the lack of an effective remedy, including compensation for the delayed enforcement of outstanding judgments ordering restitution; the annulment of the applicants' titles on account of the State's failure to correctly implement the applicable law and without any compensation; and the authorities' failure to ensure that the compensation awarded was reasonably related to the current value of the property (see paragraphs 260 and 262 of the principal judgment; see also paragraph 2 above).

109. With regard to the non-enforcement of the outstanding judgments in the applicants' favour, involving the return of the properties in question, the Court considers that the enforcement of those judgments, would place the applicants, as far as possible, in a situation equivalent to that which they would have been in if there had been no violation of Article 1 of Protocol No. 1.

Similarly, concerning the non-enforcement of the outstanding judgments in the applicants' favour relating to the payment of compensation, where such compensation is indicated in the outstanding judgment, the Court considers that the prompt enforcement of those judgments, with due regard to the requirement that the compensation established in outstanding judgments must be updated for inflation at the time of the payment (see also paragraph 117 below), would place the applicants, as far as possible, in a situation equivalent to that which they would have been in if there had been no violation of Article 1 of Protocol No. 1.

110. If the above-indicated enforcement is not carried out by the respondent State (see also paragraph 116 below), it is to pay the applicants compensation in respect of pecuniary damage in an amount reasonably related to the current value of those properties, as determined in the manner set out below.

111. To facilitate the clarification of the concepts relevant to the determination of these values, the Court must first place in context its attempt to spell out parameters for determining an amount reasonably related to the current value of an immovable property, by referring to its relevant findings in the principal judgment. Notably, in paragraphs 236-239 of that judgment, the Court took note of the fact that compensation was calculated by reference to the valuations established by the relevant Chamber of Notaries in the year prior to the decision on compensation and stressed that, if the compensation awarded was to remain equivalent to the value of the property in kind, it had to take into account the developments that had occurred in the property over time, whether of a general nature (urban planning policy) or of a more particular nature (for instance redevelopments or refurbishments). The Court

also indicated that taking into consideration the location and technical specifications of the property at the time of the deprivation could result in the amount of compensation no longer being reasonably related to the actual value of the property.

112. In this connection, the Court takes note of the Government's arguments (summarised in paragraphs 86 and 87 above) in support of using the notarial grids drawn up in accordance with Article 111 § 5 of the Tax Code and the relevant legal provisions (see paragraphs 77-80 above) as the main tool for calculating the compensation due to claimants involved in restitution proceedings. It considers it essential that this valuation system is based and continues to be based on real-time data collected by specialised experts from the relevant property market, which is processed and translated into transparent, regularly (annually) updated, easily available and relatively user-friendly reports.

113. At this juncture, the Court reiterates that the State enjoys a wide margin of appreciation in choosing the appropriate means to be used in its domestic legal order to discharge its obligation under Article 46 of the Convention to choose the general measures to be adopted in their domestic legal order to put an end to the violation found by the Court and to redress as far as possible the effects and that, in any event, it is subject to the supervision of the Committee of Ministers (see paragraph 268 of the principal judgment). The Court nevertheless underlines on a positive note the significant steps, including legislative amendments, taken by the respondent State in the recent years aimed at remedying, at least in part, the structural problems related to the restitution mechanism (see also paragraph 269 of the principal judgment, as well as paragraphs 71-74 above), such amendments complementing the safeguards introduced by Law no. 165/2013 and validated *a priori* by the Court in *Preda and Others v. Romania* (cited above).

114. Be that as it may, the Court considers it important to stress that, in order to implement, where applicable, all claimants' entitlement to compensation in compliance with the Convention (see paragraph 115 below), the domestic authorities involved in the relevant restitution proceedings would have to take into account elements such as the condition of the property (for example location and technical specifications) at the time of the decision to award compensation or, if the full payment of that compensation is made within more than one year after the compensation decision had been issued, at the time of that full payment. The above-indicated elements would have to be valued in accordance with the annually updated notarial grids which are closest (in terms of a few months, up to eleven at the most) to the date of actual receipt of that compensation. Wherever the relevant notarial grids are not annually updated, in spite of the legal provisions requiring such update (see paragraph 77 above), that valuation should rely on the latest available notarial grids, the resulting amount being increased by 13% (see the reference

percentage indicated by the Government in paragraph 97 above) per each year, as of the year of the last update until the time of payment.

115. Therefore, while accepting the Government's view that the above-mentioned tool, as described in paragraph 112 above, is the only feasible method of providing a relatively prompt and reliable valuation of individual immovable property, the Court nevertheless emphasises that, in order to ensure that appropriate compensation is paid to the applicants and claimants such as the applicants, the compensation must be calculated in such a way that it remains reasonably related to the market value of the property at the time of the actual payment of the full amount or, if applicable, of the first instalment of the full amount (see paragraph 271 of the principal judgment).

116. In the light of the foregoing and having regard both to the fact that the parties have still not managed to reach an agreement in their case (see paragraph 6 above) as well as to the Court's findings under Article 46 of the Convention spelt out in paragraph 271 of the principal judgment, the Court considers that, where the State fails to enforce the outstanding judgment by way of restitution (see also paragraph 110 above), it is appropriate to award compensation in respect of the pecuniary damage suffered by the applicants (see, *mutatis mutandis*, *Brumărescu v. Romania* (just satisfaction) [GC], no. 28342/95, § 23, ECHR 2001-I). In assessing what would constitute just satisfaction for the applicants in the present case in respect of pecuniary damage, the Court would essentially have as its main point of reference the valuations established by the relevant Chamber of Notaries for the year 2024, as the year in which the present judgment is adopted, where that valuation is available, and would give precedence to the current condition of the relevant property, as far as that information is available in the case file, rather than to the condition of the property at the time of the deprivation (see paragraphs 112 and 115 above; and, *mutatis mutandis*, *Vrioni and Others v. Albania* (just satisfaction), nos. 35720/04 and 42832/06, §§ 35-37, 7 December 2010). The latter consideration does not impinge on the relevant domestic legal provisions also entitling claimants to compensation for buildings demolished between the time of deprivation and the current time (see Article 10 of Law no. 10/2001, read in conjunction with Article 21 of Law no. 165/2013, cited in paragraph 75 above), such a valuation being conducted as per the same guidelines as those detailed above.

117. With regard to the particular situation of those claimants whose right to a specific amount of compensation had already been established and validated by the NCPC prior to the entry into force of the Law, or by the courts in judgments which had become final by that date (see, for instance, *Marcea*, application no. 36372/19, listed under no. 27 in the appendix), the provisions of Article 41 of the Law (see paragraph 69 above) become fully relevant, requiring the prompt payment of that specific amount; the Court considers that the amount in questions should further be adjusted for inflation at the time of the payment.

118. As regards the applicants whose title deeds were annulled on account of the State authorities' failure to comply with the legal provisions governing the procedure for issuing title deeds, without any compensation being granted to them, the Court considers that the appropriate reparation for the breach established would be to award those applicants compensation in an amount reasonably related to the current value of the property lost, calculated in the manner set out in paragraph 116 above.

119. As regards the amount of money claimed by some applicants for *lucrum cessans* (loss of use, loss of profit or loss of benefit from their property, see paragraph 91 above), in line with its long-standing relevant case-law on the matter (see, among others, *Buzatu v. Romania* (just satisfaction), no. 34642/97, § 18, 27 January 2005; *Preda and Others*, cited above, § 164; *Dickmann and Gion v. Romania*, nos. 10346/03 and 10893/04, § 115, 24 October 2017; and *Ana Ionescu and Others*, cited above, § 40) the Court rejects these claims. It would be speculative to award a sum of money on that basis, given that all income derived from the possession of property depends on several factors, the majority of which would benefit from being first raised before the domestic courts within the specific proceedings referred to in paragraph 258 of the principal judgment. The Court reiterates that in the mentioned paragraph it has already held that those proceedings are available domestic avenues entitling creditors in all types of claims to obtain compensation for, *inter alia*, loss of use or the delayed enforcement of outstanding judgments ordering restitution and the lack of an effective remedy. Indeed, as already indicated in paragraph 226 of the principal judgment, some of the applicants in the present case have already obtained some compensation for loss of use of their acknowledged property and/or compensation in respect of non-pecuniary damage for the non-enforcement, either on the basis of tort law provisions or under relevant provisions of the Code of Civil Procedure.

120. The above-indicated findings are to be distinguished from those concerning the particular situation of the applicant Cristina-Maria Botez (application no. 31613/19, listed under no. 23 in the appendix). The Court reiterates that the scope of that case was the applicant's specific claim that the domestic courts had failed to acknowledge her right to compensation for loss of use of a property to which she had long been entitled but of which she had not yet been granted possession owing to the deficiencies of the restitution mechanism (see paragraphs 135 and 255 of the principal judgment); in her case, the Court has found that the outcome of the domestic proceedings in which the applicant sought compensation for loss of use of her property placed a disproportionate and excessive burden on her incompatible with her right to the peaceful enjoyment of possessions guaranteed by Article 1 of Protocol No. 1.

From that perspective and within these specific parameters, which, as already mentioned, should be distinguished from its findings in

paragraph 119 above, the Court considers it appropriate to award the applicant the amount awarded to her by the Focșani District Court on the basis of the financial report added to the domestic case file in respect of loss of use of the land for the period 2012-2015 (see paragraph 136 of the principal judgment). The Court emphasises that this award does not prejudice or otherwise impact on the applicant's entitlement to obtain restitution or appropriate compensation for the plot of land in respect of which her predecessor's property rights were acknowledged by the domestic courts (see paragraph 131 of the principal judgment).

121. As regards the specific situation of the applicant association "Composesoratul Borșa" (application no. 16060/19, listed under no. 14 in the appendix), the Court takes due note of the parties' arguments and comments relevant for the present case (as detailed in particular in paragraphs 92-100 above). It considers that its findings set out in paragraphs 109-110 and 116 above are as pertinent to the applicant association's case as to all other non-enforcement cases examined within the context of the current judgment. Hence, the State would have to ensure the prompt enforcement of the outstanding judgment given in the applicant association's favour; failing such restitution, the State is to pay the applicant association compensation in respect of pecuniary damage in an amount reasonably related to the current value of those properties, calculated as described in paragraph 114 above. Similarly, as in all other cases in which the applicants claimed an amount of money for *lucrum cessans*, the loss of use claims submitted by applicant association claims are to be rejected (see also paragraph 119 above).

122. In view of its findings in paragraphs 111-118 above and within the framework described in paragraphs 109-110 above, the Court considers it reasonable to award the applicants an amount in respect of pecuniary damage as detailed, for each application, in paragraphs 127-148 below, and indicated in the last column of the appendix.

123. The Court must reiterate, however, that the applicants cannot derive any right to double compensation or unjust enrichment from the Court's judgment. Therefore, in so far as domestic administrative and/or judicial proceedings relating to the applicants' claims to their property were still pending before the relevant authorities at the date of the latest information available to the Court (see for instance paragraphs 25, 28, 36, 37, 46 and 60 above), and in order to prevent any unjust enrichment from the present judgment, the Court considers that all amounts relating to the compensation due to the applicants which are relevant to the present case and which would have already been enforced in their favour by the date of the present judgment, should be deducted, as the case may be, from the amounts listed in the appendix and in paragraphs 127-148 below (see, *mutatis mutandis*, *Molla Sali*, cited above, § 46, and *Sakskoburggotski and Chrobok v. Bulgaria* (just satisfaction), nos. 38948/10 and 8954/17, § 47, 2 May 2023).

(c) Calculation of the material compensation to be awarded in each individual case

124. The Court notes at the outset that the parties made estimations and calculations in RON and that the property valuation included in the notarial grids is also in RON; however, for the sake of simplicity, all amounts indicated in the following paragraphs will be expressed in euros, the latest available exchange rate, which is that of RON 4,97/EUR, being the one taken into account thereto (see, *mutatis mutandis*, *Perdigão v. Portugal* [GC], no. 24768/06, § 11, 16 November 2010). That methodology would be applied to all applications, except for applications nos. 31613/19, *Botez v. Romania*, (listed under no. 23 in the appendix and under (xviii) below), and no. 36372/19, *Marcea v. Romania*, (listed under no. 27 in the appendix and under (xxi) below), in view of their particularity concerning the need to adjust for inflation a precise amount expressed in RON (see paragraphs 144 and 147 below).

125. At the same time, the Court indicates that in respect of applications nos. 38992/18, *Todea and Others v. Romania* (listed under no. 5 in the appendix), 28615/19, *Şendroiu v. Romania* (listed under no. 22 in the appendix) and 43586/19, *Lie v. Romania* (listed under no. 28 in the appendix), a technical characteristic of the claimed property, notably, the information whether the land at stake is *intra* or *extra muros*, remained unclear as per the parties' submissions and the evidential material in the Court's possession. On that account and in the lack of any relevant criterion enabling it to estimate with precision the material damage in those applicants' case, the Court will make an as accurate as possible estimate, based on the facts at its disposal. Hence, the value taken into consideration to establish the amount awarded to those applicants would be the average value between the resulting amount if the land was *intra muros* and the one resulting if the land was *extra muros* (see paragraphs 131, 143 and 148 below).

126. The amounts detailed in paragraphs 127-148 below and listed in the last column of the appendix are therefore calculated on the basis of the above-indicated calculation criteria (see paragraphs 114-118 above). They rely on the information in the case-file, as submitted by the parties.

(i) Văleanu, application no. 59012/17 (listed under no. 1 in the appendix)

127. The just satisfaction claims concerned the property located at Strada 2 Grăniceri no. 57, Fălticeni, Suceava County; compensation for that property had been established by the NCPC on 27 January 2015 to EUR 2,676.25, based on the 2013 notarial grid.

The applicant valued the property to EUR 70,422.5.

The Government indicated that the due amount, that of EUR 2,676.25, was already paid; they also submitted the value of the property based on the 2022 relevant grids: EUR 4,506.03.

Based on the 2024 Suceava notarial grids, having regard to the location of the property (Fălticeni, zone A page 57 of the grids), and to the technical characteristics of that property (99 sq.m of house made in bricks) and noting that the value of 1 sqm is of EUR 59.15 (page 64 of the grids), the Court awards to the applicant, for pecuniary damage, the resulting amount of EUR 5,855.85, from which the amounts already paid should be deducted (see paragraph 123 above).

(ii) Argintaru, application no. 12854/18 (listed under no. 2 in the appendix)

128. The just satisfaction claims concerned 736.9603 ha of forest land and 166.6536 ha of alpine pasture located in Motru, Gorj County.

The applicant indicated that she maintained her initial just satisfaction claims, namely, to have the outstanding judgment enforced and the plots of land to which she was entitled be given back to her.

The Government submitted that according to the 2023 relevant notarial grids, the value of 1 ha of forest land was EUR 2,414.48, while the value of 1 ha of pasture land was EUR 1,609.65.

On the basis of the 2024 notarial grids for Craiova (annex Z, page 147) and taking into account the property's location and technical characteristics, noting that the value of 1 ha of forest land is of EUR 3,219.31 (hence, EUR 2,372,503.66 for the whole plot of forest land) while for 1 ha of pasture land is of EUR 2,012.07 (hence, EUR 335,319.70 for the whole plot of pasture land), the Court considers that lacking restitution *in natura*, the applicant is entitled to the total amount of EUR 2,707,823.36 in respect of pecuniary damage.

(iii) Ionescu and Others, application no. 28856/18 (listed under no. 3 in the appendix)

129. The just satisfaction claims concerned 2.12 ha of land on strada Rozelor, Craiova, Dolj County.

A 2021 expert report submitted by the applicant valued the property at approximately EUR 728,865. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 106,639.83.

Taking into account the property's location, on the basis of the 2024 notarial grids for Craiova (zone B/C, Annex A9, pages 26 and 66 of the grids) the value of 1 m² for the *intra muros* land would be of approximately EUR 25.35. The Court therefore awards the applicant the total amount of EUR 537,464.78 for pecuniary damage.

(iv) Onu, application no. 32541/18 (listed under no. 4 in the appendix)

130. The just satisfaction claims concerned 3 ha of *extra muros* land at Şovârca Lake, Oancea village, Galaţi County.

The applicant valued the property at EUR 8/sq.m. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 10,500.

Taking into account the property's location, on the basis of the 2024 notarial grids for Galaţi (page 123 of the grids) the value of 1 ha of *extra muros* land is EUR 2,515.09 with an increase coefficient of 25% (land with water), thus amounting to EUR 3,143.86/ha. The Court therefore awards the applicant EUR 9,431.58 for pecuniary damage.

(v) Todea and Others, application no. 38992/18 (listed under no. 5. in the appendix)

131. The just satisfaction claims concerned 3.64 ha of land in a location named "Râtul Viţeilor", Turda, Cluj County.

The applicants indicated that the 2009 value of the property was of EUR 546,000. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 36,619.71.

Taking into account the property's location and the fact that in the courts' judgments the land appears as "*intra/extra muros*", on the basis of the 2024 notarial grids for Cluj (page 17 of the grids) the average value of 1 m² of land (having regard to the minimum *intra muros* price and the *extra muros* price per 1 sq. m) would be approximately EUR 6.58. The Court therefore awards the applicants, jointly, EUR 239,512 for pecuniary damage.

(vi) Pintea, application no. 45732/18 (listed under no. 7 in the appendix)

132. The just satisfaction claims concerned 0.5675 ha of land at Nima village, Mintiu Gherlii, Dej, Cluj County.

Relying on the 2024 relevant notarial grids, the applicant valued the property at EUR 4,298.28. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 2,283.7.

Taking into account the property's location and its technical characteristics (*extra muros* land), on the basis of the 2024 notarial grids for Cluj (page 18 of the grids) the value of 1 sq.m of land is of EUR 0.905 for up to 1,500 sq.m and of EUR 0.704 for the remainder of the plot. The Court therefore awards the applicant EUR 3,984.64 (EUR 1,357.50 plus EUR 2,627.14) for pecuniary damage.

(vii) Strugaru, application no. 47070/18 (listed under no. 8 in the appendix)

133. The just satisfaction claims concerned 3.8 ha of *intra muros* land in Drobeta-Turnu Severin, Mehedinţi County.

The applicant valued the property at EUR 1,529,175.05. The Government indicated that the applicant was entitled to cash in 15,200 points, the equivalent of approximately EUR 3,058.35, which corresponded to the value of the property formerly located *extra muros* of Şimian village.

Taking into account the property's location and its technical characteristics, on the basis of the 2024 notarial grids for Craiova (zone AII, pages 108 and 120 of the grids) the value of 1 sq.m of land is of EUR 100.6; this amount must be amended with a 40% decrease for land which is not used as courtyard, hence the value is of EUR 60.36 per sq. m. Multiplying this value by the extension of the applicant's land (3.8 ha) would result in the total sum of EUR 2,293,680. However, in view of the *ne ultra petita* principle, the Court awards the applicant the sum requested by her, EUR 1,529,175.05, for pecuniary damage.

(viii) Marcu, application no. 59503/18, and Albuleț, application no. 2556/19 (listed under nos. 10 and 12 in the appendix, respectively)

134. The just satisfaction claims concerned 23 ha of forest land located in Predeal, Brașov County.

The applicants requested that the outstanding judgment of 29 June 2007 be enforced, namely that the land be given back to them. The Government relied on the 2022 notarial grids and indicated that depending on the type of forest on the respective land, the property could be estimated between EUR 22,676.05, as a minimal value, and EUR 96,257.54, as the maximum value.

Taking into account the property's location, on the basis of the 2024 notarial grids for Brașov (page 271 of the grids) the maximal value of 1 ha for forest land is approximately EUR 4,607.64. The Court considers that lacking restitution *in natura*, the applicants are entitled, jointly, to the total amount of EUR 105,975.72 in respect of pecuniary damage.

(ix) Ifrim, application no. 1369/19 (listed under no. 11 in the appendix)

135. The just satisfaction claims concerned 0.27 ha of forest land located at a place named "Podiș" (Podul Turcului or Boghești) in Bacău County.

At the merits stage of the proceedings, the applicant valued the property at EUR 3,000. The Government indicated that in accordance with the 2023 notarial grids, the value of the property was of EUR 621.

Taking into account the property's location and its technical characteristics, on the basis of the 2024 notarial grids for Bacău (page 125 of the grids) the value of 1 sq. m of forest land is of EUR 0.28. The Court therefore awards the applicant EUR 756 for pecuniary damage.

(x) Nicolaiescu, application no. 15930/19 (listed under no. 13 in the appendix)

136. The just satisfaction claims concerned 1,820 sq. m of *extra muros* land in a location named "Prigorici", Păușești-Măglași, Vâlcea County.

The applicant requested to be given back the property. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 0.4/sq. m, hence, to a total amount of EUR 732,3.

Taking into account the property's location, on the basis of the 2024 notarial grids for Pitești (Annex 6, page 51 of the grids) the value of 1 m² for the *extra muros* land is approximately EUR 0.6. The Court considers that lacking restitution *in natura*, the applicant is entitled to the total amount of EUR 1,092 in respect of pecuniary damage.

(xi) Association "Composesoratul Borșa", application no. 16060/19 (listed under no. 14 in the appendix)

137. The just satisfaction claims concerned 17,000 ha of forest land located in Borșa, Maramureș County.

The applicant valued the material damage (land and loss of use including loss of profit) to EUR 190,458,195.80. The Government provided the value of the property as per the 2023 notarial grids, amounting to RON 272,000,000 (approximately EUR 54,000,000)

Based on the 2024 Cluj notarial grids having regard to the location of the property (Borsa, Maramures – Annex 1, page 17 of the Cluj/Maramures grids) and to the technical characteristics of that property (forest), noting that the value of a sqm is of EUR 1.006 for up to 1,500 sq.m and of EUR 0.362 over 1,500 sq.m, the Court awards the applicant association EUR 61,540,966 (EUR 1,509 plus EUR 61,539,457) for pecuniary damage.

(xii)Danci, application no. 20341/19 (listed under no. 16 in the appendix)

138. The just satisfaction claims concerned 0.75 ha of land in Borșa, Maramureș County, location named "Gura Repezii" or "Acasă" (*intra muros*).

The applicant valued the property at approximately EUR 100,000. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 24,647.88.

Taking into account the property's location, on the basis of the 2024 notarial grids for Cluj (Borsa, Maramureș - Annex 1, page 17 of the Cluj/Maramureș grids) the value of 1 m² for the *intra m*uros land would be approximately of EUR 16.09 for up to 1,000 sq.m; of EUR 14.08 for a surface from 1,000 sq.m up to 2,500 sq.m; and of EUR 6.03 for any surface going beyond 2,500 sq.m. The Court therefore awards the applicant EUR 67,360 (EUR 16,090 plus EUR 21,120 plus EUR 30,150) for pecuniary damage.

(xiii)Cobzaru, application no. 21500/19 (listed under no. 17 in the appendix)

139. The just satisfaction claims concerned a property (house, outbuildings and land) located at 57 Craioviţa Street in Craiova, Dolj County. Compensation was proposed by the mayor of Craiova in 2012 and validated by the NCPC on 31 January 2017.

The applicant valued the material damage (house and land, updated with the interest rate, after deducting the amounts paid) at EUR 447,000. The

Government indicated that four payment certificates had been issued, for EUR 10,048.61 each. Three of these had been cashed in, while payment for the fourth certificate, relating to 2023, had been suspended (EGO 90/2023).

On the basis of the 2024 notarial grids for Craiova and taking into account the property's location (57 Craioviţa Street in Craiova, Zone A3, Annex A9, pages 27, 47 and 66 of the Craiova grids) and technical characteristics (404 sq.m of land and a (demolished) brick house (comprising three apartments) with a usable surface area (*suprafata utila*) of approximately 214.29 m² and outbuildings of approximately 15 m²), the Court notes that the value of 1 m² for the building is approximately EUR 535.21 of usable surface area (totalling EUR 114,690.15) and for the outbuildings EUR 30.18 (totalling EUR 452.70), while for the land it is EUR 190.14 (totalling EUR 76,816.56). The Court therefore awards to the applicant, in respect of pecuniary damage, the resulting amount of EUR 191,959.41, from which the amounts already paid should be deducted (see paragraph 123 above).

(xiv) Moisă, application no. 23253/19, and Ţiplea, application no. 23256/19 (listed under nos. 18 and 19 in the appendix)

140. The compensation claim concerned 460 sq. m of land and building(s) located at Strada Traian 48, Vaslui, Vaslui County as well as for a quarter of a plot of land of 222 sq. m located at Strada Traian 46, Vaslui, Vaslui County.

The applicants valued the buildings at approximately EUR 22,360 and the land to some EUR 238,700. The Government indicated that according to the 2023 notarial grids, the property and 460 of sq. m of land could be estimated to EUR 45,593.56, and the ¼ of the plot of 222 sq. m to EUR 4,254.62.

Taking into account the property's location, on the basis of the 2024 notarial grids (zone A, Annex A2, page 17 of the Iași/Vaslui grids) and technical characteristics (460 plus 55.5 sq.m of land and a (demolished) brick house with a usable surface area of approximately 63.74 m² and outbuildings of approximately 49.77 m²), the Court notes that the value of 1 m² of usable surface area for the building is approximately EUR 519.31 (totalling EUR 33,100.81), to which a weighting coefficient (*coeficient de ponderare*) of 65% should be applied as "old building" coefficient (page 11 of the grids), hence totalling EUR 21,515.53; that the value for the outbuildings is EUR 190.54/sq.m (totalling EUR 9,483.17), to which a 50% "old building" weighting coefficient (page 11 of the grids) is applied (totalling EUR4,741.58). Adding these two values would result in the total sum of EUR 26,257.11. However, in view of the *ne ultra petita* principle, the Court awards the applicants jointly, in respect of the buildings, the sum requested by them, EUR 22,360. As far as the land is concerned, the value indicated by the grids is of EUR 113.07/sq.m.; the Court therefore awards the applicants jointly, in respect of the land, EUR 58,287.58. Consequently, the total amount

of EUR 80,647.58 is awarded jointly to the applicants in respect of pecuniary damage.

(xv) Nicolicea and Others, application no. 25503/19 (listed under no. 20 in the appendix)

141. The just satisfaction claims concerned four plots of land located at Strada Avram Iancu 58, Florești, Cluj County, identified as follows:

- no. 1, of 2773 sq. m, belonging to the fourth, fifth, sixth and seventh applicants (title issued on 13 January 2004)
- no. 2, of 2773 sq. m, belonging to the first applicant (title issued on 12 June 2003)
- no. 3, of 2880 sq. m, belonging to the second and third applicants (title issued on 9 June 1999)
- no. 4, of 5028 sq. m, belonging to the eighth, ninth, tenth and eleventh applicants (title issued on 4 August 2003).

The applicants valued the property at EUR 300/sq.m., hence claiming to be awarded respectively EUR 831,900 for each of the plots nos. 1 and 2; EUR 864,000 for plot no. 3 and EUR 1,508,400 for plot no. 4.

The Government indicated the following estimations, based on the 2023 relevant notarial grids: if the land were *extra m*uros, the value would be of EUR 4,238 for the first three plots together and of EUR 1,011.67 for the fourth plot; if the land were *intra muros*, the values would be as follows: for plots nos. 1 and 2, each: EUR 41,571.42; for plot no. 3: EUR 43,078.47; and for plot no. 4: EUR 73,331.99.

Taking into account the property's location, namely *intra muros* land in Florești, Cluj District, on the basis of the 2024 notarial grids (Annex 1, page 18 of the Cluj notarial grids), the value of 1 m² for the land is approximately EUR 40.24 for up to 1,000 sq.m; of EUR 34.2 for a surface from 1,000 sq.m up to 2,500 sq.m; and of EUR 30.18 for any surface going beyond 2,500 sq.m. The Court therefore awards, for each of the plots nos. 1 (belonging to fourth, fifth, sixth and seventh applicants) and 2 (belonging to the first applicant), EUR 99,779.14 (EUR 40,240 plus EUR 51,300 plus EUR 8,239.14). In respect of plot no. 3 (belonging to the second and third applicants), the Court awards EUR 103,008.40 (EUR 40,240 plus EUR 51,300 plus EUR 11,468.40); finally, in respect of plot no. 4 (eighth, ninth, tenth and eleventh applicants), it awards EUR 167,835.04 (EUR 40,240 plus EUR 51,300 plus EUR 76,295.04). It follows that the total sum due to the applicants for pecuniary damage is EUR 470,401.72.

(xvi) Ovidiu Paul Ştefănescu, application no. 27761/19 (listed under no. 21 in the appendix)

142. The just satisfaction claims concerned 66,22 ha of forest land in Mihăiești, Argeș County.

The applicant valued the property in accordance with the relevant 2024 notarial grids, to an approximate amount of EUR 266,478.87. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 217,507.39.

Taking into account the property's location, on the basis of the 2024 notarial grids (page 28 of the grids for Pitești), the price of 1 sq. m of young forest – indicated in the grids to be the only existing forest in the relevant area – is of EUR 0.4024. Hence, the Court awards the applicant EUR 266,469.28 for pecuniary damage.

(xvii) Şendroiu, application no. 28615/19 (listed under no. 22 in the appendix)

143. The just satisfaction claims concerned 3,11 ha (including a plot of 0.6214 ha) of agricultural land and 1,25 ha of forest land located in Cârbești village, Gorj County.

The applicant valued the material damage as follows: EUR 7,500 for 0,6214 ha of agricultural land and minimum EUR 37,000 for 1,25 ha of forest land. The Government indicated that according to the 2023 relevant notarial grids, the property could be valued as follows: if the land were *intra muros*: EUR 31,581.48; if it were *extra muros*, EUR 9,901.4.

The Court observes that on the basis of the 2024 notarial grids (Annex L/Z pages 233/235 of the grids for Craiova) and taking into account the property's location, if the land were *intra muros*, its value would be EUR 1.408/sq.m., with 0.6 correction for land not suited for construction, totalling EUR 26,273.28 for 3.11 ha and EUR 10,560 for 1.25 ha of land; if it were *extra muros*, the value of 1 ha of agricultural land would be EUR 2,816.90 (totalling EUR 8,760.55 for 3.11 ha) and the value of 1 ha of forest land would be EUR 3,018.108 (totalling EUR 3,772.63 for 1.25 ha). Since it is unclear whether the land is *intra* or *extra muros*, the Court will take into consideration the average value between the *intra* and *extra muros* amounts (see paragraph 125 above), namely: EUR 17,516.91 for the 3.11 ha and EUR 7,166.31 for the 1.25 ha. It follows that the total sum awarded to the applicant for pecuniary damage is EUR 24,683.22.

(xviii) Botez, application no. 31613/19 (listed under no. 23 in the appendix)

144. The just satisfaction claims concerned the loss of use of 3.3455 ha of vineyard located in Odobești, Vrancea County.

The applicant claimed the amount of RON 43,312.38, updated with inflation since 2017. The Government valued the property itself at maximum EUR 418,187.5 and minimum EUR 150,547.5; no submissions were made by the Government in connection with the loss of use claims.

Having regard to the scope of the case, as laid out in paragraphs 136 and 255 of the principal judgment (see also paragraphs 65-67 above), the document to be relied on in the calculation of the loss of use for the property

is the domestic expert report having established an amount of RON 43,312.38 as loss of use due to the applicant for the period 2012-2015. Based on the average exchange rate for 2017 which was of 4.56 RON/EUR, the amount awarded to the applicant was of approximately EUR 9,498.32; having regard to the inflation rate for EUR in the period 2017-2024, the Court awards the applicant EUR 11,902.38 in respect of pecuniary damage.

(xix) Ciotu, application no. 34359/19 (listed under no. 25 in the appendix)

145. The just satisfaction claims concerned 0.15 ha of *intra muros* land located in Cajvana, Suceava County.

The applicant valued the property at approximately EUR 4,919.50. The Government indicated that according to the 2023 notarial grids, the property could be estimated to EUR 3.29/sq.m, hence, to a total amount of EUR 4,949.6.

On the basis of the 2024 notarial grids (page 118 of the grids for Suceava) and taking into account the property's location, the value of 1 sq. m of land is EUR 3.843. Multiplying this value by the extension of the applicant's land (0.15 ha) would result in the total sum of EUR 5,764.50. However, in view of the *ne ultra petita* principle, the Court awards the applicant the sum requested by him, EUR 4,919.50.

(xx) Tătărău, application no. 34474/19 (listed under no. 26 in the appendix)

146. The just satisfaction claims concerned 307 sq. m of land located at Strada Cerceluș 56, Bucharest.

The applicant claimed EUR 220,000 for the said property. The Government evaluated the land to EUR 158,719 (2022 relevant notarial grids).

The Bucharest Chamber of Notaries have not updated their Bucharest grids since 2022. Based on latest available grids the value of a sq. m of land occupied by buildings is of EUR 517 (zone 48 A3, page 131 of the Bucharest grids). Applying the presumption of a 13% annual increase (see paragraph 114 above) from 2022 to 2024, would lead to the value of EUR 660.15/sq. m. The Court therefore awards the applicant EUR 202,666.05 in respect of pecuniary damage, from which the amounts already paid, if any, would be deducted (see paragraph 123 above).

(xxi) Marcea, application no. 36372/19 (listed under no. 27 in the appendix)

147. The compensation claimed relied on the compensation decision issued by the NCPC on 18 November 2009 in the amount of RON 1,428,734.50, amount which had been established by the HCCJ in 2007. The deceased applicant (Mr Ion Marcea) was entitled to half of that amount.

The applicant's heirs claimed that the above-indicated amount be adjusted for inflation. The Government submitted that one payment title had been

issued to Mr Mihai Marcea on 2 May 2023 for RON 71,436.73 (approximately EUR 21,452.47 at the relevant time).

Based on Article 41 of Law no. 165/2013 (see paragraph 69 above), and having regard to the average exchange rate for 2007 which was of 3.33 RON/EUR, the amount awarded to the deceased applicant was approximately EUR 214,525; having regard to the inflation rate for EUR in the period 2007-2024, the Court awards to the applicant's heirs, jointly, EUR 309,546.87 in respect of pecuniary damage, from which the amounts already paid, if any, would be deducted (see paragraph 123 above).

(xxii) Lie, application no. 43586/19 (listed under no. 28 in the appendix)

148. The compensation claim concerned two sevenths of 16.75 ha (hence, approximately 47,857 sq. m) of agricultural land (9.79 ha and 6.96 ha) located in Mărgineni, Hârseni, Brașov County.

The applicant valued the property to EUR 4.42-5.03/sq.m. The Government indicated that according to the 2022 relevant notarial grids, the property could be valued as follows: if the land were *intra muros*, 1 sq. m would be EUR 0.36 and hence the property would amount to a total of EUR 17,228.57; if it were *extra muros*, the value of 1 sq. m being of EUR 0.18, the property could be estimated at EUR 8,614.28.

The Court observes that on the basis of the 2024 notarial grids (Annex 35 pages 261 and 268 of the grids for Brașov) and taking into account the property's location, if the land were *intra muros*, its value would be EUR 6.63/sq. m for the first 5,000 sq. m; EUR 4.62/sq. m for the next 5,000 sq. m; while the remainder would be evaluated as *extra muros* land at EUR 0.22/sq. m. Its total value would therefore be EUR 64,578.54 (EUR 33,150 plus EUR 23,100 plus EUR 8,328.54). If the land were only *extra muros*, its total value would be EUR 10,528.54.

Since it is unclear whether the land is *intra* or *extra muros*, the Court will take into consideration the average value between the *intra* and *extra muros* amounts (see paragraph 125 above). It therefore awards the applicant EUR 37,553.54 for pecuniary damage.

III. COSTS AND EXPENSES

149. In the present case, the Court notes at the outset that it has already made an award for costs and expenses in respect of the domestic proceedings and the proceedings before the Court incurred up to the date of the principal judgment, which became final on 3 April 2023 (see paragraph 281 of the principal judgment).

150. In principle, and according to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these were actually and necessarily incurred and are reasonable as to quantum.

151. With regard to the legal fees relating to the further domestic proceedings and the submissions to the Court regarding the application of Article 41 following the principal judgment, some of the applicants either did not submit claims for costs and expenses or failed to substantiate their claims. Accordingly, the Court finds no reason to award them any sum on that account (see appendix).

152. As regards the claims submitted by the remaining applicants, the Court, having regard to the documents in its possession and its case-law, awards them the amounts indicated in the appendix (last column) for all related costs and expenses.

153. With regard to the case of *Stoiculescu v. Romania* (application no. 33596/19, listed under no. 24 in the appendix), Rule 43 § 4 of the Rules of Court provides that when an application has been struck out in accordance with Article 37 of the Convention, the Court has the discretion to award costs. The general principles governing the award of costs under Rule 43 § 4 are essentially the same as under Article 41 of the Convention (see, for example, *Union of Jehovah's Witnesses and Others v. Georgia* (dec.), no. 72874/01, § 33, 21 April 2015; and *A.A. and Others v. Sweden* (dec.), no. 12470/21, § 11, 4 July 2023). Regard being had to the documents in its possession and to its case-law, the Court considers it reasonable to award the applicant the amount indicated in the appendix (last column) for all related costs and expenses.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Holds* that the applicants' heirs, Mr Mircea Romulus Todea, Mr Sorin Constantin Grigorescu, Ms Anca Simona Banc-Oltean, Mr Ciprian Oltean, Mr Octavian Vasile Oltean, Ms Zoiţa Mihaela Oltean, Ms Valeria-Zoriţa Pastor and Ms Gabriela Carmen Boarti have standing to continue the present proceedings in the stead, respectively, of the deceased applicants Mr Romulus Nicolae Todea (application nos. 38992/18) and Ms Maria Grigorescu, Ms Floarea Oltean and Lucreția Boarti (application no. 25503/19);

2. *Decides* to strike the applications nos. 42182/18 (*Iuga v. Romania*), 52852/18 (*Enescu and Others v. Romania*), 16337/19 (*Mihaela Ştefănescu v. Romania*) and 33596/19 (*Stoiculescu v. Romania*) – listed respectively under nos. 6, 9, 15 and 24 in the appendix – out of its list of cases as regards the reserved Article 41 procedure;

3. *Holds*

   (a) that the respondent State shall ensure, by appropriate means, the enforcement of the outstanding judgments in the applicants' favour, involving the return of the properties in question (applications listed

under nos. 2, 4, 5, 7, 10, 11, 12, 13, 14, 16, 21, 22 and 28 in the appendix) and subject to the conditions set out in paragraph 123, within twelve months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention;

(b) that, failing such enforcement in the above-mentioned cases, the respondent State is to pay the applicants, within the same twelve months, the amounts indicated in the appendix (last column), plus any tax that may be chargeable, in respect of pecuniary damage;

(c) that in respect of the remainder of the applications (applications listed under nos. 1, 3, 8, 17, 18, 19, 20, 23, 25, 26 and 27) the respondent State is to pay the applicants within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the amounts indicated in the appendix (last column), plus any tax that may be chargeable, in respect of pecuniary damage;

(d) that, in any event, the respondent State shall pay the applicants, within the same three months, the amounts indicated in the appendix (last column), plus any tax that may be chargeable to them, in respect of costs and expenses;

(e) that the aforementioned amounts, expressed in euros, shall be converted into the currency of the respondent State at the rate applicable at the date of settlement;

(f) that, from the expiry of the above-mentioned twelve, or respectively three, months until settlement, simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

4. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 7 January 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Simeon Petrovski	Faris Vehabović
Deputy Registrar	Acting President

APPENDIX
List of cases:

No.	Application no. and date of introduction	Case name	Applicant Year of Birth/Registration year Place of Residence Nationality	Represented by	Amounts put forward by the applicants in respect of A) various types of *lucrum cessans* claims and B) costs and expenses	Amounts awarded / application for A) pecuniary damage, excluding *lucrum cessans* (paragraph 119 above) B) costs and expenses in euros (EUR)
1.	59012/17 07/08/2017	Văleanu v. Romania	Coca-Cornelia VĂLEANU 1960 Fălticeni Romanian	Nistor Claudiu FILIPOIU	A) No claim was made B) RON 12,400 legal fees (merits and Article 41) RON 1,800 expert report	A) 5,855.85 B) 2,000
2.	12854/18 02/03/2018	Argintaru v. Romania	Ligia ARGINTARU 1961 Târgu Jiu Romanian		A) Loss of use: EUR 204,808 B) No claim was made	A) 2,707,823.36 (2,372,503.66 forest land; 335,319.70 alpine pastureland) B) no award
3.	28856/18 12/06/2018	Ionescu and Others v. Romania	Octavian-Constantin IONESCU 1951 Craiova Romanian Anca FIFOR 1968 Craiova Romanian	Radu MARINESCU	A) No claim was made B) No claim was made	A) 537,464.78 B) no award

			Sevastiţa ILIESCU 1937 Craiova Romanian			
4.	32541/18 04/07/2018	Onu v. Romania	Andone ONU b:1938, d: 2019 Pursued by heirs Petrica PREDA 1964 Bucharest Romanian Eva ONU 1941 Chiraftei, Galaţi Romanian Mariana ONU 1961 Chiraftei, Galaţi Romanian Daniel-Alen ONU 1971 Galaţi Romanian		A) Loss of use and loss of profits 2014-2023: EUR 246,480 B) No claim was made	A) 9,431.58 B) No award
5.	38992/18	Todea and Others v.	Romulus-Nicolae TODEA b:1952 – d: 2023	Voichiţa Naiana MOLDOVAN	A) Loss of income, loss of opportunities	A) EUR 239,512(value of the land)

	10/08/2018	Romania	pursued by heir: Mircea Romulus TODEA 1977 Turda Romanian Remus-Horea TODEA 1956 Gherla Romanian Dragoș-Voicu TODEA 1956 Cluj-Napoca Romanian		EUR 3,173,997 Delayed enforcement penalties (RON 500/day as of 1 January 2003) EUR 2,284,686 B) No claim was made	jointly B) No award
6.	42182/18 20/08/2018	Iuga v. Romania	Gavrilă IUGA b: 1937; d: 2023 Săliștea de Sus Romanian	Andrei-Ștefan MITREA	A) No claim was made B) No claim was made	A) No award – application struck out of the list B) No award
7.	45732/18 18/09/2018	Pintea v. Romania	Emil-Horea PINTEA 1968 Gherla Romanian	Gabriel-Alexandru TĂMAȘ	A) No claim was made B) No claim was made	A) 3,984.64 B) No award
8.	47070/18 22/09/2018	Strugaru v. Romania	Rodica STRUGARU 1943 Timisoara Romanian	Alexandru Cătălin PUȘA	A) RON 7,600,000 (loss of use) B) No claim was made	A) 1,529,175.05 B) No award
9.	52852/18 02/11/2018	Enescu and Others v. Romania	Elena ENESCU 1949 Bucharest	Bogdan Florin ENESCU	A) Loss of use as of 2015 until 27 September 2021: EUR 598,826 B) No claim was made	A) No award – application struck out of the list B) No award

			Romanian Teodor Alexandru COLEA 1960 Bucharest Romanian Ana COLEA 1953 Bucharest Romanian Mihaela-Roxana MUNTEANU-COLEA 1979 Bucharest Romanian Elena-Magdalena BODRÎNGĂ 1976 Bucharest Romanian			
10.	59503/18 08/12/2018	Marcu v. Romania	Tudor MARCU 1939 Bucharest Romanian	Mircea-Ioan HOTNOG	A)Loss of use: EUR 4,306,963.26 B) No claim was made	A) 105,975.72 for the 23 ha of forest land (jointly with the applicant in application no. 556/19 listed under no. 12 below) B) No award
11.	1369/19	Ifrim v. Romania	Carolina IFRIM 1937	Matei BRATU	A) No claim was made B) No claim was made	A) 756 B) No award

	18/12/2018		Boghești Romanian			
12.	2556/19 28/12/2018	Albuleț v. Romania	Elena ALBULEȚ 1957 Predeal Romanian	Mircea-Ioan HOTNOG	A) see Marcu under 10 above B) see Marcu under 10 above	A) 105,975.72 (jointly with the applicant in application no. 59503/18 listed under 10 above) B) No award
13.	15930/19 07/05/2019	Nicolaiescu v. Romania	Nicolae NICOLAIESCU 1948 Târgu-Mureș Romanian		A) No claim was made B) No claim was made	A) 1,092 B) No award
14.	16060/19 07/03/2019	Association 'Composesorat Borşa' v. Romania	Asociaţia Composesorală Borșa 2000 Borșa Romanian	Nicoleta-Tatiana POPESCU	A) EUR 190,458,195.80 (land and loss of use including loss of profit) B) No claim was made	A) 61,540,966 (land only) B) No award
15.	16337/19 14/03/2019	Mihaela Ștefănescu v. Romania	Mihaela ȘTEFĂNESCU 1949 Bucharest Romanian	Mihaiela Eugenia MARZAVAN	A) No claim was made B) No claim was made	A) No award – application struck out of the list B) No award
16.	20341/19 27/03/2019	Danci v. Romania	Marie DANCI b:1936; d: 2021 Pursued by heir: Ioana IVAȘCO 1965 Borșa Romanian	Gheorghe-Zamfir AMZĂRESCU-NIȚĂ	A) EUR 50,000 loss of use B) No claim was made	A) 67,360 B) No award
17.	21500/19 05/04/2019	Cobzaru v. Romania	Celestina-Maria COBZARU 1975		A) No claim was made B) No claim was made	A) 191,959.41 B) No award

			Bucharest Romanian			
18.	23253/19 25/04/2019	Moisă v. Romania	Daniel MOISĂ 1968 Vaslui Romanian	Manuela SMĂU	A) Loss of use EUR 353,276 B) No claim was made	A) EUR 80,647.58, namely EUR 22,360 for property and EUR 58,287.58 for land (460 and 55,5 sq. m) -amount to be paid jointly with applicant Țiplea, application no. 23256/19, listed under no. 19 below B) No award
19.	23256/19 25/04/2019	Ţiplea v. Romania	Iuliana ŢIPLEA 1965 Vaslui Romanian	Manuela SMĂU	A) same as under no. 18 above B) No claim was made	A) See under 18 above, application no. 23253/19 B) No award
20.	25503/19 24/04/2019	Nicolicea and Others v. Romania	1) Mariana NICOLICEA 1950 Florești Romanian 2) Victoria IUGA 1936 Cluj-Napoca Romanian 3) Maria GRIGORESCU b:1938; d: 2019 pursued by heir Sorin Constantin GRIGORESCU 1963	Liliana Ioana CHIRILĂ	A)Loss of use/profit - plots nos. 1 and 2: EUR 865,950 - plot no. 3: EUR 882,000 -plot no. 4: EUR 1.594,200 B) - first applicant : EUR 458 - second and third applicants: EUR 875 -fourth to seventh applicants: EUR 458 - translation and correspondence expenses to be paid to the applicants' representative: EUR 825	A) In total: 470,401.72. In particular, Plot no. 1: 99,779.14 Plot no. 2: 99,779.14 Plot no. 3: 103,008.4 Plot no. 4: 167,835.04 B) - 200 to be paid to the first applicant - 400 to be paid to second and third applicants, jointly - 200 to be paid to fourth to seventh applicants, jointly - 590 to be paid to the applicants' representative

			Bucharest Romanian 4) Floarea OLTEAN b:1950; d:2021 pursued by heirs Anca Simona BANC-OLTEAN 1971 Apahida Romanian Ciprian OLTEAN 1976 Florești Romanian Octavian Vasile OLTEAN 1977 Florești Romanian Zoiţa Mihaela OLTEAN 1981 Florești Romanian 5) Aurelia GAL 1943 Florești Romanian			

			6) Viorica ZAGON 1945 Florești Romanian 7) Lucreția BOARTI b:1935; d:2023 pursued by heirs Valeria-Zorița PASTOR 1961 Cluj-Napoca Romanian Gabriela Carmen BOARTI 1964 Florești Romanian 8) Petru IRIMIEȘ 1945 Cluj-Napoca Romanian 9) Petru-Nicolaie IRIMIEȘ 1970 Florești Romanian 10) Gheorghe-Marius VIDICAN			

			1974 Chisineu-Cris Romanian 11) Maria-Cristina LUCA-VIDICAN 1977 Bucharest Romanian			
21.	27761/19 10/05/2019	Ovidiu-Paul Ştefănescu v. Romania	Ovidiu-Paul ŞTEFĂNESCU 1933 Bucharest Romanian	Mihai Vladimir HOLBAN	A) No claim was made B) No claim was made	A) 266,469.28 (for 66,22 ha of forest land) B) No award
22.	28615/19 15/05/2019	Șendroiu v. Romania	Ion-Alin ȘENDROIU 1966 Cârbești Romanian		A) Loss of use: RON 30,000 B) No claim was made	A) 24,683.22 (17,516.91 for 3,11 ha of agricultural land and 7,166.31 for 1.25 ha of forest land) B) No award
23.	31613/19 04/06/2019	Botez v. Romania	Cristina-Maria BOTEZ 1949 Bucharest Romanian	Ana-Corina SACRIERU	A) RON 7,329.50 tax paid for the property as of 2003 B) RON 3,800 costs and expenses in the domestic proceedings	A) 11,902.38 [amount adjusted for inflation as of 2017-2024] for the loss of use of the property 2012-2015 B) No award
24.	33596/19 13/06/2019	Stoiculescu v. Romania	Laurențiu STOICULESCU 1953 Scărișoara Romanian	Andrei GRIGORIU	A) RON 31,324.21 (property value or loss of use) B) RON 16,660 legal fees for various attempts not directly concerning Article 41 (PD); RON 233 transport (Romania)	A) No award – application struck out of the list B) 100

25.	34359/19 13/06/2019	Ciotu v. Romania	Eudochia CIOTU 1962 Cajvana Romanian	Emanuel PAPUC	A) No claim was made B) No claim was made	A) 4,919.50 B) No award
26.	34474/19 21/06/2019	Tătărău v. Romania	Gabriela TĂTĂRĂU 1951 Munich German	Self-represented	A) No claim was made B) No claim was made	A) 202,666.05 B) No award
27.	36372/19 18/06/2019	Marcea v. Romania	Ion MARCEA b:1952, d: 2020 Pursued by heirs Elena-Mihaela STOIAN 1977 Craiova Romanian Mihai MARCEA 1979 Craiova Romanian	Răzvan Paul CĂLINESCU	A) No claim was made B) No claim was made	A) 309,546.87 (amount updated for inflation 2007-2024) jointly to the deceased applicant's heirs B) No award
28.	43586/19 09/08/2019	Lie v. Romania	Vasile LIE 1950 Bucharest Romanian	Maricel ZAMORA	A) No claim was made B) EUR 425	A) 37,553.54 (for 2/7 of the 16,75 ha of land) B) 425