

# EUROPEAN PARLIAMENT

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## WRITTEN DECLARATION

pursuant to Rule 116 of the Rules of Procedure

by Victor Boştinaru, Daciana Octavia Sârbu, Adrian Severin, Corina Creţu

on the abusive dispossession of a number of Romanian citizens in the wake of  
legislation on the legal regime governing misallocated properties

Lapse date: 14.4.2009

**Written declaration on the abusive confiscation of Romanian citizens' property in the wake of legislation on the legal regime governing misallocated properties**

*The European Parliament,*

- having regard to the provisions of Article 6 of the Treaty on European Union on the fundamental rights guaranteed by the European Convention on Human Rights and on fundamental freedoms,
  - having regard to Article 17 of the Charter of Fundamental Rights of the European Union,
  - having regard to Rule 116 of its Rules of Procedure,
- A. whereas some one million Romanian citizens who had acquired property in all legality under Law 112/1995 have had it abusively confiscated in the wake of new legislation,
- B. whereas Law 247/2005, which introduces new terms and conditions, has undermined owners' rights and has led to the eviction of large numbers of households who have not been offered equitable alternatives or compensation by the Romanian state,
- C. whereas the obligation to cede legally obtained private property without a fair procedure and without reasonable compensation taking account of the difference between the purchase price adjusted to present conditions and the property's value as assessed at the time of the judgment, constitutes a breach of the fundamental right to property as guaranteed by the European Convention on Human Rights and the European Court of Human Rights,
1. Condemns these abusive confiscations, which are in breach of the rights of the citizen to life, property, respect for family life and the right to a fair legal procedure based on reasonable conditions;
  2. Calls on the Commission and Council to ask the Romanian authorities to take all necessary legislative measures to ensure an end to evictions and the payment of fair compensation to those already evicted;
  3. Instructs its President to forward this declaration, together with the names of the signatories, to the national authorities and to the institutions responsible for the protection of fundamental rights.