

WRITTEN QUESTION E-3602/09
by Angelika Niebler (PPE-DE)
to the Commission

Subject: Expropriation of private property in Romania

One of my constituents won restitution/compensation of a plot of land belonging to her parents in Timișoara, Romania, in a court case in 2004. However, as she had not made the claim under the Romanian Restitution Law 10/2001, the City of Timișoara lodged an appeal at the High Court in Bucharest to declare the proceedings invalid.

My constituent then filed a complaint at the European Court of Human Rights in Strasbourg.

In 2005, my constituent applied for the land to be returned under a new restitution law (247/2005). However, the City of Timișoara is not referring the case to the relevant authorities under Law 247/2005, claiming that the European Court of Human Rights must first issue a decision.

1. Is the Commission aware of this or similar cases?
2. Does this action not contravene current European law, and in particular the European Union's general principles of law?
3. If so, does the Commission intend to take action on this matter?