



Case relinquished to the Grand Chamber concerning an alleged failure to investigate a car accident

The Chamber of the European Court of Human Rights to which the case **Nicolae Virgiliu Tănase v. Romania** (application no. 41720/13) had been allocated **has relinquished jurisdiction in favour of the Grand Chamber of the Court**¹.

The case mainly concerns the alleged ineffectiveness and lack of promptness of a criminal investigation into a car accident, in which the applicant suffered serious injuries.

Principal facts

The applicant, Nicolae Virgiliu Tănase, is a Romanian national who was born in 1943 and lives in Ploiești (Romania). At the time of the accident, 3 December 2004, Mr Tănase was a judge. He alleges that a third party crashed into the back of his car. As a result of this impact, Mr Tănase's car was shunted into the back of a military lorry.

Mr Tănase suffered severe bodily injuries that endangered his life and needed between 200 and 250 days of medical treatment. He maintains that he has been left with a serious physical disability.

No criminal proceedings have been instituted against Mr Tănase and another driver involved in the accident and, by final decision of 21 December 2012, the Ploiesti Court of First Instance confirmed the Prosecutor's decision to stop the criminal investigations against the third driver involved for reasons related to the statute of limitations (*prescriptia speciala a raspunderii penale*).

Complaints and procedure

Relying in substance on Article 3 of the Convention Mr Tănase complains that he was subjected to inhuman and degrading treatment because the criminal investigation opened by the domestic authorities into his car accident lacked promptness and was ineffective. In particular, he claims that the domestic authorities failed to examine the merits of the case and clarify the circumstances of the accident, allowing the special statute of limitation in respect of the third party's offence to take effect.

The application was lodged with the European Court of Human Rights on 21 June 2013. On 17 April 2014 the application was communicated to the Romanian Government under Article 3 (prohibition of degrading or inhuman treatment) of the Convention. On 2 June 2015, the President of the Section decided to invite the Government to submit further written observations under Articles 2 (right to life) and 8 (right to respect for private life) of the Convention in respect of the application. A [statement of facts](#) submitted to the Government is available on the Court's website.

¹ Article 30 of the European Convention of Human Rights and Article 72 of the Rules of the Court.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.