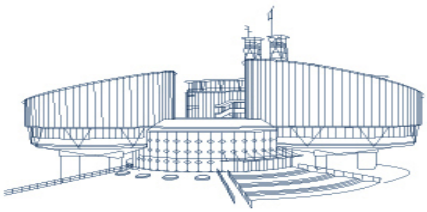
EUROPEAN COURT OF HUMAN RIGHTS

PRESS RELEASE

ROMANIAN JUDGE'S REQUEST FOR INTERIM MEASURE SUSPENDING MANAGERIAL APPOINTMENT REJECTED

ECHR 274 (2026) 04.11.2026

Press release issued by the Registrar of the Court



On 30 October 2026 the European Court of Human Rights, through its duty judge, decided to reject the request for an interim measure in the case of **Marinaş v. Romania** (application no. 41560/26).

The case concerns a judge and her complaint about the temporary appointment of another judge to a managerial position within the Craiova Court of Appeal where she works.

The Court has rejected as out of scope her request to suspend a decision by the Romanian Superior Council of Magistracy (CSM) appointing temporarily another judge as vice-president of the Craiova Court of Appeal.

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Interim measures under Rule 39 of the Rules of Court are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case itself. The Court grants requests for such measures only on an exceptional basis. For further information, see the factsheet on interim measures.

The applicant, Marinaș Sorina-Iolanda, is a judge at the Craiova Court of Appeal and a public figure with an active presence on social media concerning alleged irregularities within the judicial system. Her online posts have been reported on by various media outlets.

On 1 October 2026 the CSM decided to appoint another judge to fill in temporarily the position of vice-president of the Craiova Court of Appeal, pending a permanent appointment.

Ms Marinaș applied to the Romanian High Court of Cassation and Justice (HCCJ) to suspend enforcement of the CSM decision. Her application was dismissed on 14 October 2026. In separate proceedings, she challenged the lawfulness of the CSM's decision. The case is currently pending before the HCCJ, with the next hearing scheduled for 5 November 2026.

On 26 October 2026 Ms Marinaș lodged a request under Rule 39 of the Rules of Court (interim measures) for the suspension of the CSM decision, pending the outcome of the proceedings she had brought before the HCCJ or the duration of the proceedings before the European Court. Ms Marinaș contended that the use of temporary appointments to managerial positions by decision of the CSM, together with the existing review mechanism for these decisions, lacked the requisite independence and impartiality which undermined effective judicial oversight of career-related decisions within the judiciary as well as the independence of the judiciary in general. She further argued that she fulfilled all the eligibility criteria for the vice-president position and her career prospects would suffer irreparable harm, as it would be impossible to assume the managerial position retroactively and to recover such a lost professional opportunity.

In the request for an interim measure, she relied on Articles 6 § 1 (right to a fair trial), 8 (right to respect for private and family life), 10 (freedom of expression) and 14 (prohibition of discrimination) of the European Convention on Human Rights, raising general criticism about the way in which managerial positions were filled within the Romanian judiciary.

DECISION OF THE COURT

On 30 October 2026 the Court rejected the request for an interim measure, on the grounds that it fell outside the scope of Rule 39 of the Rules of Court.

Considering her request along with the grounds and reasons supporting it, the Court held that in accordance with its well-established practice, Ms Marinaș's request did not concern an imminent risk of irreparable harm within the meaning of Rule 39 § 1 of the Rules of Court as she linked the irreparable harm to vague future career prospects. More specifically, she had not shown that her right to be a judge or her judicial independence had in any way been at immediate risk. She continues to serve as a judge at the Craiova Court of Appeal and remains eligible for future appointments in managerial positions.

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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.