

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

FOURTH SECTION

DECISION

Application no. 12769/20
Marian BĂLAN against Romania
and 19 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 9 April 2026 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
András Jakab*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications against Romania lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on the various dates indicated in the appended table,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government ("the Government").

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Article 3 of the Convention (inadequate conditions of detention)

Having examined all the material before it, the Court considers that for the reasons stated below, the present applications are inadmissible.

The applicants complained principally of the inadequate conditions of their detention. They relied on Article 3 of the Convention.

The Government argued that the applicants had failed to exhaust the available effective remedies for their complaints about the inadequate conditions of their detention, as the complaint with the judge responsible for supervising the deprivation of liberty (*plângerea în fața judecătorului de supraveghere a privării de libertate*), provided for by Article 56 of Law no. 254/2013, had become an effective remedy for grievances similar to those of the applicants.

The Court recalls that in *Văscăuțanu v. Romania* (dec.), no. 10120/23, §§ 47–59, 18 November 2025, it held that the remedy, which consists of lodging a complaint with the judge responsible for supervising the deprivation of liberty (*plângerea în fața judecătorului de supraveghere a privării de libertate*), provided for by Article 56 of Law no. 254/2013, constituted, as of 6 April 2023, an effective remedy enabling individuals who allege that they are being held in inadequate conditions of detention to put an end to their situation that they denounced as being contrary to Article 3 of the Convention.

In light of all the material in its possession, the Court observes that the applicants, who allege that they are being held in inadequate conditions of detention, did not indicate that they pursued the available remedy before the domestic courts (see *Văscăuțanu*, cited above, § 65). Therefore, their complaints in that regard must be dismissed for failure to exhaust domestic remedies.

The Government also invoked other grounds of inadmissibility to argue that the present applications must be rejected.

Since it has already upheld the Government's objection on the non-exhaustion of domestic remedies, the Court does not consider it necessary to examine further any additional arguments raised by the Government.

In view of the above, the Court finds that the applicants' complaints concerning the periods set out in the appended table must be rejected for failure to exhaust the domestic remedy laid down in Article 56 of Law no. 254/2013, in accordance with Article 35 §§ 1 and 4 of the Convention.

C. Remaining complaints

Some applicants also raised other complaints under various Articles of the Convention.

The Court has examined the applications listed in the appended table and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

It follows that this part of the applications must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 13 May 2026.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

List of applications raising complaints under Article 3 of the Convention (inadequate conditions of detention)

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date Duration
1.	12769/20 07/04/2020	**Marian BĂLAN** 1990	Craiova and Drobeta Turnu-Severin Prisons 19/12/2019 pending More than 6 year(s) and 2 month(s) and 6 day(s)
2.	17680/21 11/03/2021	**Tiberiu AGAFIȚEI** 1987	Rahova and Iași Prisons 09/12/2019 pending More than 6 year(s) and 2 month(s) and 16 day(s)
3.	19731/21 26/07/2021	**Marian-Radu PALĂU** 1988	Zalău and Satu Mare Police Stations; Gherla, Baia Mare and Oradea Prisons 05/10/2018 pending More than 7 year(s) and 4 month(s) and 20 day(s)
4.	38137/21 22/12/2021	**Ciprian-Florin COȘCODAR** 1982	Bucharest-Rahova, Miercurea Ciuc, Arad and Aiud Prisons; Jilava and Dej Prison Hospitals 05/02/2019 pending More than 7 year(s) and 20 day(s)
5.	46889/21 15/11/2021	**Constantin CĂLUȘERU** 1950	Găești Prison 22/12/2019 pending More than 6 year(s) and 2 month(s) and 3 day(s)
6.	52111/21 09/05/2022	**Lazăr ROSTAȘ** 1986	Gherla Prison; Bucharest and Constanța - Poarta Albă Prison Hospitals 07/01/2019 pending More than 7 year(s) and 1 month(s) and 18 day(s)

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date Duration
7.	52699/21 19/11/2021	**Ion-Florin LUCA** 1985	Aiud, Craiova and Mioveni Prisons 19/03/2021 pending More than 4 year(s) and 11 month(s) and 6 day(s)
8.	53648/21 02/12/2021	**Ionel PISICĂ** 1990	Constanța - Poarta Albă Prison 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
9.	53685/21 05/01/2022	**Ovidiu-Daniel FERARU** 1984	Iași, Giurgiu Prisons 20/12/2019 pending More than 6 year(s) and 2 month(s) and 5 day(s)
10.	53692/21 17/02/2022	**Paul DOBOCAN** 1993	Gherla, Oradea, Baia Mare, Bistrița, Aiud and Satu Mare Prisons 12/01/2020 pending More than 6 year(s) and 1 month(s) and 13 day(s)
11.	54015/21 15/03/2022	**Gheorghe GHERASIM** 1975	Iași Prison 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
12.	55066/21 28/12/2021	**Alin-Marian ZAHARIA** 1982	Bacău, Arad and Botoșani Prisons 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
13.	55072/21 31/12/2021	**Ionel PANAIT** 1976	Galați and Brăila Prisons 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
14.	56461/21 30/03/2022	**Lajos VERES** 1968	Oradea and Timișoara Prisons 19/12/2019 pending More than 6 year(s) and 2 month(s) and 6 day(s)

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date Duration
15.	61090/21 02/02/2022	**Tamas PETER-ZŐRGŐ** 1986	Satu Mare and Oradea Prisons 01/12/2019 Pending More than 6 year(s) and 2 month(s) and 24 day(s)
16.	61474/21 20/01/2022	**Ion LAZĂR** 1962	Botoșani, Bucharest - Rahova, Giurgiu, Constanța - Poarta Albă, Arad and Tulcea Prisons 07/11/2006 Pending More than 19 year(s) and 3 month(s) and 18 day(s)
17.	61795/21 25/01/2022	**Teodor-Ciprian ROMAN** 1983	Gherla, Giurgiu, Arad and Iași Prisons 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
18.	752/22 04/02/2022	**Vasile COMAN** 1983	Bucharest Central Arrest, Bucharest Police detention facility no. 9, Giurgiu Prison 01/10/2021 pending More than 4 year(s) and 4 month(s) and 24 day(s)
19.	7112/22 08/03/2022	**Dorel GUREȘOIU** 1970	Bucharest - Jilava Prison 23/12/2019 pending More than 6 year(s) and 2 month(s) and 2 day(s)
20.	10200/22 18/05/2022	**Ioan DRĂGĂNEL** 1972	Arad and Oradea Prisons 20/04/2023 pending More than 2 year(s) and 10 month(s) and 5 day(s)