

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

FOURTH SECTION

DECISION

Application no. 14497/21
Marius-Ninel BOTEZATU against Romania
and 19 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 26 March 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 applicants,

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 applications 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 the other 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.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 16 April 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.	14497/21 22/04/2021	**Marius-Ninel BOTEZATU** 1999	Buzău County Police Station; Focșani and Mărgineni Prisons 20/01/2020 pending More than 6 year(s) and 23 day(s)
2.	16482/21 28/06/2021	**Mihai-Valentin PLETOSU-HALUNGESCU** 2002	Bacău Prison 01/04/2020 pending More than 5 year(s) and 10 month(s) and 11 day(s)
3.	20964/21 12/05/2021	**George DONCIU** 1983	Poarta Albă and Rahova Prisons 24/07/2011 to 23/07/2012 1 year(s) Poarta Albă, Rahova, Tulcea, Gherla and Giurgiu Prisons 24/12/2019 pending More than 6 year(s) and 1 month(s) and 19 day(s)
4.	21064/21 09/06/2021	**Denes SZOCS** 1972	Miercurea-Ciuc Prison 22/09/2020 pending More than 5 year(s) and 4 month(s) and 21 day(s)
5.	21373/21 31/05/2021	**Dănuţ-Gabriel OLTEANU** 1998	Focșani and Mărgineni Prisons 10/09/2020 pending More than 5 year(s) and 5 month(s) and 2 day(s)
6.	21393/21 19/05/2021	**Claudiu-Răzvan TĂNASE** 1974	Rahova, Miercurea-Ciuc, Arad, Giurgiu and Mioveni Prisons 01/01/2011 pending More than 15 year(s) and 1 month(s) and 11 day(s)
7.	21479/21 20/05/2021	**Mihai BALINT** 1948	Găești Prison 23/12/2019 pending More than 6 year(s) and 1 month(s) and 20 day(s)
8.	21668/21 18/05/2021	**Pavel-Iulian APUŞCĂŞIŢEI** 1988	Botoșani, Iași, Arad, Drobeta-Turnu Severin and Gherla Prisons 24/12/2019 pending More than 6 year(s) and 1 month(s) and 19 day(s)
9.	21805/21 09/06/2021	**Ioan TODOR** 1987	Gherla Prison 05/07/2020 pending More than 5 year(s) and 7 month(s) and 7 day(s)

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date Duration
10.	22716/21 19/08/2021	**Remus ANGHILINA** 1988	Aiud and Deva Prisons 06/11/2020 pending More than 5 year(s) and 3 month(s) and 6 day(s)
11.	24408/21 10/06/2021	**Gheorghe LAZĂR** 1983	Bacău, Oradea, Botoșani and Gherla Prisons 25/06/2020 pending More than 5 year(s) and 7 month(s) and 18 day(s)
12.	29050/21 08/09/2021	**Constantin-Ovidiu BRAHUȚA** 1988	Botoșani and Iași Prisons 15/07/2019 pending More than 6 year(s) and 6 month(s) and 28 day(s)
13.	29998/21 20/07/2021	**Ștefan NANI** 1981	Galați, Rahova, Poarta Albă and Tulcea Prisons 23/12/2019 pending More than 6 year(s) and 1 month(s) and 20 day(s)
14.	30913/21 02/06/2021	**Iosif NAGY** 1983	Cluj County Police Station, Gherla, Aiud, Arad and Oradea Prisons and Arad, Dej and Mioveni Prison Hospitals 28/10/2011 pending More than 14 year(s) and 3 month(s) and 15 day(s)
15.	34757/21 26/10/2021	**Iancu MĂRAN** 1977	Caraș-Severin County Police Station; Timișoara, Arad, Bucharest - Rahova, Aiud, Gherla and Oradea Prisons 01/10/2012 pending More than 13 year(s) and 4 month(s) and 11 day(s)
16.	35104/21 27/07/2021	**Constantin ADAM** 1976	Timișoara and Arad Prisons 14/09/2019 pending More than 6 year(s) and 4 month(s) and 29 day(s)
17.	35264/21 04/08/2021	**Florin GIURCĂ** 1970	Aiud, Arad and Deva Prisons 01/02/2018 pending More than 8 year(s) and 11 day(s)
18.	37561/21 20/08/2021	**Florin-Violin FARCAȘ** 1970	Gherla Prison, Bucharest Jilava Prison Hospital 12/03/2021 pending More than 4 year(s) and 11 month(s)
19.	40010/21 20/07/2021	**Károly ORGOVAN** 1973	Oradea, Arad and Gherla Prisons 13/05/2011 pending More than 14 year(s) and 8 month(s) and 30 day(s)
20.	41267/21 01/10/2021	**Carmen-Cornel TUDOR** 1975	Craiova and Craiova - Pelendava Prisons 15/11/2019 pending More than 6 year(s) and 2 month(s) and 28 day(s)