

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

FOURTH SECTION

DECISION

Application no. 8530/20
Costel PETREA against Romania
and 19 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 21 May 2026 as a Committee composed of:

Anne Louise Bormann*, President*,
András Jakab,
Corinna Wissels*, 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)

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

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

The Government argued that the applicants had failed to exhaust the available effective remedies for the complaints about the inadequate conditions of their detention, as the action in tort had become an effective remedy for grievances similar to those of the applicants, allowing them to have the violation of the Convention acknowledged, either explicitly or in substance, and to receive adequate and sufficient compensation at domestic level. The Government expressly referred to *Vlad v. Romania* (dec.), no. 122/17, 15 November 2022, either directly in their observations or by a subsequent letter and invited the Court to declare the cases inadmissible.

The Court recalls that in *Polgar v. Romania*, no. 39412/19, §§ 94-96, 20 July 2021, it held that an action in tort, based on Articles 1349 and 1357 of the Romanian Civil Code, as interpreted consistently by the national courts, had represented since 13 January 2021 an effective remedy for individuals who considered that they had been subjected to inadequate conditions of detention, and who were no longer being held in conditions that were allegedly contrary to the Convention. Subsequently, in *Vlad*, cited above, §§ 24-32, the Court considered it appropriate to apply an exception to the general principle that the effectiveness of a given remedy was to be assessed with reference to the date on which the application was lodged.

For all the above reasons and in the light of all the material in its possession, since the applicants ceased to be held in conditions of detention that were allegedly contrary to the Convention after the moment when the tort action had been considered as representing an effective remedy (see, *mutatis mutandis*, *Polgar*, § 96 and *Vlad*, § 23, both cited above; see the appended table for further details), but did not inform the Court of having brought such an action before the domestic courts, 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 any 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 11 June 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	Representative's name and location	Facility Start and end date Duration
1.	8530/20 14/05/2020	**Costel PETREA** 1967		Constanța - Poarta Albă and Drobeta-Turnu Severin Prisons 15/08/2019 to 25/11/2021 2 year(s) and 3 month(s) and 11 day(s)
2.	10468/20 02/09/2020	**Gheorghe-Sorin PÎNTEA** 1974		Giurgiu Prison 06/06/2019 to 28/12/2023 4 year(s) and 6 month(s) and 23 day(s)
3.	19236/20 19/06/2020	**Simion TRIFAN** 1949		Vaslui, Bacău and Găești Prisons 14/02/2017 to 15/03/2022 5 year(s) and 1 month(s) and 2 day(s)
4.	30080/20 29/09/2020	**Mădălin IONEL** 1982		Mioveni, Găești and Târgu Jiu Prisons 23/12/2019 to 20/05/2025 5 year(s) and 4 month(s) and 28 day(s)
5.	843/21 23/07/2021	**Marian NEACȘU** 1976		Arad and Craiova-Pelendava Prisons 08/03/2016 to 27/06/2025 9 year(s) and 3 month(s) and 20 day(s)
6.	4414/21 22/03/2021	**Florică CREȚOIU** 1967		Drobeta-Turnu Severin Prison 19/12/2019 to 29/10/2025 5 year(s) and 10 month(s) and 11 day(s)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Facility Start and end date Duration
7.	4803/21 12/02/2021	**Florin-Alin-Ionuț STOICA** 1992		Craiova-Pelendava, Arad and Iași Prisons 19/12/2019 to 12/10/2021 1 year(s) and 9 month(s) and 24 day(s)
8.	21637/21 26/05/2021	**Alexandru-Ștefan ZANFIR** 1997		Bucharest-Rahova and Bucharest-Jilava Prisons 25/07/2019 to 03/04/2020 8 month(s) and 10 day(s) Bucharest-Rahova and Bucharest-Jilava Prisons 18/09/2020 to 20/09/2022 2 year(s) and 3 day(s)
9.	53661/21 08/10/2021	**Dragoș-Marian MUNTEANU** 1985		Craiova (including Pelendava) and Drobeta-Turnu Severin (including Vînjuleț) Prisons 15/12/2019 to 02/03/2023 3 year(s) and 2 month(s) and 16 day(s)
10.	55621/21 24/03/2022	**Daniel LAZĂR** 1971		Mioveni and Găești Prisons 26/11/2020 to 24/08/2022 1 year(s) and 8 month(s) and 30 day(s)
11.	61797/21 28/01/2022	**Cosmin PANCU** 1979		Satu Mare Prison 22/10/2021 to 11/07/2024 2 year(s) and 8 month(s) and 20 day(s)
12.	9242/22 07/02/2022	**Eufimie STANCU** 1976		Olt County Police Station; Bucharest-Jilava Prison Hospital; Craiova Prison 14/07/2019 to 26/06/2025 5 year(s) and 11 month(s) and 13 day(s)
13.	14844/22 19/04/2022	**Eugen MIHAI** 1984	Mihai Lucreția Mogosani	Mărgineni, Mioveni and Găești Prisons 06/05/2021 to 28/12/2022 1 year(s) and 7 month(s) and 23 day(s)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Facility Start and end date Duration
14.	26379/22 22/06/2022	**Ioan VINCZE** 1974		Drobeta-Turnu Severin (including Vânjuleț), Aiud, Arad, Ploiești and Timișoara Prisons 27/09/2020 to 25/02/2026 5 year(s) and 4 month(s) and 30 day(s)
15.	26401/22 05/07/2022	**Daniel-Florin DUCU** 1997	Mihuta Laura Arad	Craiova Detention Center (Barieră); Arad Prison 22/06/2015 to 03/02/2025 9 year(s) and 7 month(s) and 13 day(s)
16.	44984/22 12/09/2022	**Árpád KOVÁCS** 1995		Aiud Prison 25/02/2021 to 01/01/2023 1 year(s) and 10 month(s) and 8 day(s)
17.	45137/22 21/11/2022	**Florin PUȘCAȘU** 1981		Vaslui County Police Station; Vaslui and Focșani Prisons; Bucharest-Jilava Prison Hospital 06/11/2021 to 03/12/2025 4 year(s) and 28 day(s)
18.	48791/22 15/11/2022	**Ioan VANA** 1970		Cluj County Police Station; Gherla and Baia Mare Prisons 12/08/2018 to 17/12/2025 7 year(s) and 4 month(s) and 6 day(s)
19.	55683/22 25/11/2022	**Marian-Ionuț BĂLAN** 1993		Vrancea County Police Station; Focșani and Ploiești Prisons 16/04/2015 to 07/02/2023 7 year(s) and 9 month(s) and 23 day(s)
20.	57751/22 13/03/2023	**Constantin ANGHEL** 1992		Galați and Brăila Prisons 29/03/2022 to 23/05/2025 3 year(s) and 1 month(s) and 25 day(s)