



Judgments of 7 January 2020

The European Court of Human Rights has today notified in writing eight judgments¹:

one Chamber judgment is summarised below;

seven Committee judgments, concerning issues which have already been submitted to the Court, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgment summarized below is available in English only.

Ciupercescu v. Romania (application no. 41995/14)

The applicant, Dragoş Ciupercescu, is a Romanian national who was born in 1971 and lives in Bucharest.

The case concerned his complaints of inadequate conditions of detention.

Mr Ciupercescu was sentenced to 18 years' imprisonment in 2005 and was detained in various prisons until his release on parole in 2016.

During that period, he lodged complaints with the post-sentencing judge about the conditions of his detention in Giurgiu Prison from January 2009 and then in Jilava Prison where he was transferred in January 2015, essentially on account of overcrowding and inadequate heating. The judge found for the applicant, but did not award compensation. As a result of the applicant's complaint about overcrowding, he was placed in a cell in Jilava Prison with more personal space as of March 2015.

Mr Ciupercescu also brought complaints before the domestic courts about being exposed to cigarette smoke while being transported to court for hearings on his case and while in the waiting rooms at the courts; of inadequate dental treatment; about not being able to communicate online with his wife, who was living in Italy; and about having to inform the prison authorities of all the telephone numbers he wished to call, alleging an infringement of the confidentiality of his communications. The courts dismissed all the complaints, except for the one about online communication where it acknowledged a breach of his rights owing to a lack of regulation.

Relying in particular on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights, Mr Ciupercescu complained about the conditions of his detention in Giurgiu Prison and Jilava Prison.

Violation of Article 3 – in respect of Mr Ciupercescu's material conditions of detention in Giurgiu Prison and Jilava Prison from 24 July 2012 to 23 March 2015

No violation of Article 3 – in respect of Mr Ciupercescu's material conditions of detention in Jilava Prison from 24 March 2015 until his transfer to Ploieşti Prison on 13 October 2016

Just satisfaction: 3,000 euros (EUR) (non-pecuniary damage)

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a Chamber judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

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Press contacts

echrpess@echr.coe.int | tel: +33 3 90 21 42 08

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Denis Lambert (tel: + 33 3 90 21 41 09)

Inci Ertekin (tel: + 33 3 90 21 55 30)

Patrick Lannin (tel: + 33 3 90 21 44 18)

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.