



The Court refuses a request for an interim measure by a Romanian former minister for whom a European arrest warrant was issued

On 14 June 2022 the European Court of Human Rights decided to refuse a request for an interim measure in the case of **Udrea v. Bulgaria** (application no. 20918/22).

The case concerns a former Romanian government minister who is currently in Bulgaria and for whom the Romanian authorities issued a European arrest warrant. She requested the Court to indicate to the Bulgarian authorities that they should stay execution of the arrest warrant and not extradite her to Romania.

Facts

The applicant, Elena Gabriela Udrea, is a Romanian national who was born in 1973.

Ms Udrea is a former member of Parliament and government minister in Romania who is currently in Bulgaria. In June 2018 the Romanian courts sentenced her to six years' imprisonment on corruption charges. Her conviction became final on 5 June 2018. She lodged a special application to have the conviction quashed, which was rejected on 7 April 2022. An appeal against that decision is pending before the Romanian courts.

On 7 April 2022 the Romanian authorities issued a European arrest warrant in respect of Ms Udrea. On the same day she was arrested in Bulgaria as she was leaving the country to travel to Greece. She was placed in pre-trial detention.

On 10 June 2022 the Sofia Court of Appeal upheld the Regional Court's decision of 19 April 2022 to execute the European arrest warrant against the applicant.

Request for an interim measure

On 14 June 2022 Ms Udrea applied to the European Court of Human Rights under Rule 39 of the Rules of Court (interim measures), requesting it to indicate to the Bulgarian authorities that they should stay execution of the European arrest warrant and not extradite her to Romania.

In support of her request for an interim measure she relied on several Articles of the European Convention on Human Rights, and especially on Articles 2 (right to life), 3 (prohibition of inhuman or degrading treatment), 6 (right to a fair trial) and 13 (right to an effective remedy). In particular, she argued that she would be detained in conditions contrary to Article 3, complaining of overcrowding in prison and alleging that she had received death threats while in pre-trial detention.

She also maintained that she had been convicted by a tribunal that was not established by law and was neither independent nor impartial.

Decision of the Court

On 14 June 2022 the European Court of Human Rights decided to refuse the request for an interim measure.

Information on interim measures

Under Rule 39 of the Rules of Court, the Court may indicate interim measures to any State Party to the European Convention on Human Rights. Interim measures are urgent measures which, according to the Court's well-established practice, apply only where there is an imminent risk of irreparable harm.

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. The Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm.

For further information, see [the factsheet on interim measures](#)

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Press contacts

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

We would encourage journalists to send their enquiries via email.

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

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

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

Neil Connolly (tel: + 33 3 90 21 48 05)

Jane Swift (tel: + 33 3 88 41 29 04)

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.