

**Question for written answer E-001406/2019
to the Commission**
Rule 130
Kinga Gál (PPE)

Subject: Restitution of confiscated properties

The Commission has acknowledged that, following a country's accession to the EU, administrative and judicial practice in connection with properties confiscated prior to accession falls within the scope of application of EU law. In the case of the confiscation of property from a national of a Member State in a Member State of which they are not a national (Romania) prior to that country's accession – since there was no possibility of its return in kind by applying the legislation of the Member State concerned – the authorities responsible decided in 2010 on financial compensation (9449/06.08.04.-1043/N/2001). This, however, has not yet been acted upon.

1. I would like to ask the Commission whether this conduct on the part of a Member State is compatible with the basic economic freedoms, in particular capital and freedom of establishment.
2. I would also like to ask the Commission whether this is compatible with the principles by which EU law keeps the Member States' procedural and institutional autonomy within strict limits (equal treatment and effectiveness), with the procedural provisions of the Charter of Fundamental Rights of the European Union, and with the principles set down by the established case-law of the European Court of Human Rights, under which administrative decisions must be acted upon by the relevant deadline.
3. If the Commission finds, in the case of the above questions, that this practice is not compatible with EU rules, I would like to ask what the legal entity in question can do to enforce their rights deriving from the EU legal order.