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

FIRST SECTION

DECISION

Application no. 3152/18
Andrzej EMILIANOWICZ
against Poland
(see appended table)

The European Court of Human Rights (First Section), sitting on 8 September 2022 as a Committee composed of:

Erik Wennerström*, President,*
Krzysztof Wojtyczek*,*
Lorraine Schembri Orland*, judges,*

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 5 January 2018,

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 applicant's details are set out in the appended table.

The applicant was represented by Mr D. Boruta, a lawyer practising in Szczecin.

The applicant's complaints under Article 6 § 1 and Article 13 of the Convention concerning the excessive length of civil proceedings and the lack of any effective remedy in domestic law were communicated to the Polish Government ("the Government").

THE LAW

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the applicant's complaint about the excessive length of the impugned proceedings, which ended on 15 February 2018, is inadmissible.

In particular, the Court notes that the proceedings in question were complex and necessitated admitting extensive expert evidence (from twelve experts, adduced at the request of the applicant). There is also no appearance of any periods of inactivity for which the domestic courts should be held responsible.

In view of the above, the Court finds that the applicant's complaint under Article 6 § 1 of the Convention is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

Moreover, since the applicant's complaint under Article 6 § 1 is inadmissible, it follows that he has no "arguable claim" of a violation of his rights under Article 6 § 1 for the purposes of Article 13 of the Convention. Consequently, this complaint is also manifestly ill-founded.

In view of the above, the Court finds that the application is inadmissible and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 29 September 2022.

Viktoriya Maradudina
Acting Deputy Registrar

Erik Wennerström
President

APPENDIX

Application raising complaints under Article 6 § 1 and Article 13 of the Convention (excessive length of civil proceedings and lack of any effective remedy in domestic law)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Domestic decision on complaint under the 2004 Act Domestic award (in euros)
3152/18 05/01/2018	**Andrzej EMILIANOWICZ** 1958	Boruta Dominik Szczecin	16/05/2014	15/02/2018	3 year(s) and 9 month(s) 2 level(s) of jurisdiction	Szczecin Court of Appeal, 12/06/2017, III S 6/17