

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

FIRST SECTION

DECISION

Application no. 42632/20
Wojciech KAPLIŃSKI
against Poland
(see appended table)

The European Court of Human Rights (First Section), sitting on 18 September 2025as a Committee composed of:

Frédéric Krenc*, President*,
Davor Derenčinović,
Alain Chablais*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 10 September 2020,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant's complaints under Article 6 § 1 of the Convention about a violation of his right to a hearing by an "independent and impartial tribunal established by law" since his case had been decided by the Disciplinary Chamber of the Supreme Court composed of judges appointed to that court by the President of Poland, pursuant to the recommendation of the National Council of the Judiciary (*Krajowa Rada Sądownictwa*, "the NCJ") as established under the Amending Act on the NCJ and certain other statutes of 8 December 2017, were communicated to the Polish Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against Poland in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay him the amount detailed in the appended table. This amount will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be

payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned three-month period, the Government undertake to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify a continued examination of the application.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 9 October 2025.

Viktoriya Maradudina	Frédéric Krenc
Acting Deputy Registrar	President

APPENDIX

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
42632/20 10/09/2020	**Wojciech KAPLIŃSKI** 1971	Sykała Michał Adam Białystok	25/07/2025	18/07/2025	10,000

[1] Plus any tax that may be chargeable to the applicant.