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

FIRST SECTION

DECISION

Application no. 57260/19
Zbigniew PASTUSZKA against Poland
and 13 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 9 March 2023 as a Committee composed of:

Alena Poláčková*, President*,
Gilberto Felici,
Raffaele Sabato*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 6 § 1 and Article 13 of the Convention concerning the excessive length of civil proceedings, limitation of access to court and the lack of any effective remedy in domestic law to complain about the excessive length of civil proceedings were communicated to the Polish Government ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Poland in respect of the facts giving rise to these applications as regards complaints under Article 6 § 1 of the Convention, concerning the excessive length of proceedings, and Article 13 of the Convention, related to the lack of the domestic remedy in that regard, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts 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 these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, 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 cases.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

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 applications in the part covered by the friendly settlement.

In view of the above, it is appropriate to strike the cases out of the list as regards the complaints concerning the excessive length of the proceedings and lack of an effective domestic remedy.

The applicants also raised other complaints under Article 6 § 1 the Convention, having argued that the excessive length of the proceedings had made their right of access to court illusory.

The Court has examined these complaints and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints are manifestly ill-founded within the meaning of Article 35 § 3 of the Convention (see *Bieliński v. Poland*, no. 48762/19, §§ 71-72, 21 July 2022).

It follows that this part of the applications must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention as regards the complaints concerning the excessive length of the proceedings and lack of an effective domestic remedy;

Declares the remainder of the applications inadmissible.

Done in English and notified in writing on 30 March 2023.

Viktoriya Maradudina Acting Deputy Registrar	Alena Poláčková President

APPENDIX

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

No.	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]
1.	57260/19 26/10/2019	**Zbigniew PASTUSZKA** 1954	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,100
2.	57377/19 26/10/2019	**Krystyna MICHAŁOWSKA - JAŚKOWSKA** 1952	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,100
3.	57386/19 26/10/2019	**Krzysztof MOCZKOWSKI** 1951	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,100
4.	57396/19 26/10/2019	**Hieronim SOKOŁOWSKI** 1954	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200
5.	57419/19 26/10/2019	**Maciej ŚLIWIAK** 1955	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,500
6.	57486/19 26/10/2019	**Mirosław ORECHWO** 1958	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200
7.	57557/19 26/10/2019	**Lilianna GÓRALSKA-RATAJ** 1963	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200
8.	58837/19 25/10/2019	**Ryszard WRZESIŃSKI** 1958	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200
9.	4080/20 30/12/2019	**Jan Marian MATUKIN** 1949		09/12/2022	25/08/2022	4,200
10.	24603/20 28/05/2020	**Bozena BUGAJ** 1957	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200

No.	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]
11.	24795/20 28/05/2020	**Adam OKÓLSKI** 1958	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	4,200
12.	24799/20 15/05/2020	**Elżbieta PIESZCZYŃSKA** 1958	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,100
13.	25355/20 08/06/2020	**Iwona ZDUNIAK** 1954	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	3,380
14.	33285/20 27/07/2020	**Sławomir CYBULSKI VEL CYCHOWSKI** 1952	Gąsiorowska Monika Małgorzata Warsaw	09/12/2022	16/08/2022	2,500

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