

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

FIRST SECTION

DECISION

Application no. 26004/20
Waldemar PIONKA
against Poland
(see appended table)

The European Court of Human Rights (First Section), sitting on 20 November 2025 as 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 15 June 2020,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

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 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"). Other complaints under Articles 8 and 13 of the Convention based on the same facts was also communicated.

The Government submitted a declaration with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the application.

The Government acknowledged the violation of the right to an "independent and impartial tribunal established by law" under Article 6 § 1 of the Convention, as well as the violation of Article 8 § 1 of the Convention as regards respect for private life and Article 13 regarding right to effective domestic remedy. They offered to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amount would be converted into the currency of the respondent State at the rate applicable on the date of payment, and would 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 undertook 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 applicant informed the Court that he agreed to the terms of the declaration.

THE LAW

The Court finds that, following the applicant's express agreement to the terms of the declaration made by the Government, the case should be treated as a friendly settlement between the parties.

It therefore 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 the continued examination of the application.

In view of the above, it is appropriate to strike the application out of the Court's list of cases.

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 11 December 2025.

Viktoriya Maradudina Acting Deputy Registrar	Frédéric Krenc 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 acceptance	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
26004/20 15/06/2020	**Waldemar PIONKA** 1958	Gajowniczek-Pruszyńska Katarzyna Maria Warsaw	08/10/2025	20/10/2025	10,000

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