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

FIRST SECTION

DECISION

Application no. 52097/18
Piotr RYCKIE
against Poland
(see appended table)

The European Court of Human Rights (First Section), sitting on 10 November 2022 as a Committee composed of:

Ivana Jelić*, President*,
Krzysztof Wojtyczek,
Erik Wennerström*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 18 February 2019,

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 Ms M. Ryckie, living in Gdańsk.

The applicant's complaints under Article 6 § 1 and Article 13 of the Convention concerning the excessive length of criminal 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 respondent Government cannot be held liable for the length of the impugned proceedings which ended on 18 March 2019.

In particular, the Court notes that the bill of indictment was lodged against the applicant on 3 January 2017. On 7 December 2018 the Gdańsk District

Court convicted the applicant, and on 18 March 2019 the Gdańsk Regional Court upheld the judgment. There is 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 complaint under Article 6 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 complaint under Article 13 is also 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 1 December 2022.

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| Viktoriya Maradudina | Ivana Jelić |
| Acting Deputy Registrar | President |

# APPENDIX

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

| Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's name and location | Start of proceedings | End of proceedings | Total length<br>Levels of jurisdiction | Domestic decision on complaint under the 2004 Act |
|---|---|---|---|---|---|---|
| 52097/18<br>18/02/2019 | **Piotr RYCKIE**<br>1972 | Ryckie Magda<br>Gdańsk | 29/10/2015 | 18/03/2019 | 3 years, 4 months and 19 days<br>2 levels of jurisdiction | Gdańsk Regional Court,<br>case no. V S 57/18,<br>29 October 2018 |