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

FIRST SECTION

DECISION

Application no. 56285/22
Hanna SOŁTYS
against Poland

The European Court of Human Rights (First Section), sitting on 19 September 2024 as a Committee composed of:

Lətif Hüseynov*, President*,
Krzysztof Wojtyczek,
Erik Wennerström*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 15 November 2022,

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 was represented by Ms M. Gąsiorowska, a lawyer practising in Warsaw.

The applicant's 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 were communicated to the Polish Government ("the Government").

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 applicant's rights under Article 6 § 1 of the Convention as regards the excessive length of civil proceedings, and under Article 13 of the Convention related to the lack of any effective remedy in that regard. 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 relating to the excessive length of proceedings and lack of any effective remedy.

The applicant informed the Court that she 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 in that part.

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 the part covered by the friendly settlement.

In view of the above, it is appropriate to strike the case out of the list as regards the complaints concerning the excessive length of the civil proceedings and the lack of any effective remedy in domestic law.

The applicant also raised another complaint under Article 6 § 1 of the Convention having argued that the excessive length of the proceedings had made her right of access to court illusory.

However, by a letter of 22 July 2024 the applicant informed the Court that she did not wish to pursue her complaint as regards the alleged lack of access to court.

In view of the above, it is appropriate to also strike this part of the application out of the list of cases.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in the part related to the applicant's complaint about the restrictions on her right of access to court in view of the applicant's loss of interest to pursue it in this part;

Decides to strike in accordance with Article 39 of the Convention the remaining part of the application related to the excessive length of the civil proceedings and the lack of any effective remedy in domestic law.

Done in English and notified in writing on 10 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov 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	Representativeɔs 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]
56285/22 15/11/2022	**Hanna SOŁTYS** 1952	Gąsiorowska Monika Małgorzata Warsaw	21/05/2024	12/04/2024	5,400

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