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

FIRST SECTION

# DECISION

Application no. 18383/22
Dariusz SZAMOTULSKI against Poland
and 2 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 4 December 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 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 and their representatives is set out in the appended table.

The applicants' complaints under Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention were communicated to the Polish Government ("the Government"). Complaints based on the same facts were also communicated under other provisions of the Convention.

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

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.

Done in English and notified in writing on 8 January 2026.

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|---|---|
| Viktoriya Maradudina<br>Acting Deputy Registrar | Frédéric Krenc<br>President |

# APPENDIX

## List of applications raising complaints under Article 5 § 3 of the Convention (excessive length of pre-trial detention)

| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's name and location | Other complaints under well-established case-law | Date of receipt of Government's declaration | Date of receipt of Applicant's declaration | Amount awarded for pecuniary and non-pecuniary damage per applicant (in euros)[1] | Amount awarded for costs and expenses per application (in euros)[2] |
|---|---|---|---|---|---|---|---|---|
| 1. | 18383/22<br>24/03/2022 | **Dariusz SZAMOTULSKI**<br>1976 | Wojtyła Joanna<br>Gdańsk | Art. 13 - lack of any effective remedy in domestic law,<br><br>Art. 6 (1) - excessive length of criminal proceedings | 10/06/2024 | 26/06/2024 | 6,900 | 250 |
| 2. | 54129/22<br>21/01/2023 | **Fabian Dominik MIEDŹWIEDZIK**<br>1988 | | | 20/06/2024 | 06/09/2024 | 4,700 | - |
| 3. | 4770/23<br>05/01/2023 | **Krzysztof SAROSIEK**<br>1984 | Wojtyła Joanna<br>Gdańsk | Art. 6 (1) - excessive length of criminal proceedings - the time period to be taken into consideration began on 07/12/2019 (day of arrest) and is still pending. On 27/09/2022 the Gdańsk Court of Appeal dismissed the applicant's complaint under the 2004 Act (case no. II S 122/22). | 02/07/2024 | 02/07/2024 | 5,700 | 250 |

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