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

FIRST SECTION

DECISION

Applications nos. 37354/23 and 37961/23
Jozef VÁRADI and Others against Slovakia
and Tibor POLGÁRI and Others against Slovakia

The European Court of Human Rights (First Section), sitting on 10 July 2025 as a Committee composed of:

Artūrs Kučs*, President*,
Alena Poláčková,
Anna Adamska-Gallant*, judges*,

and Liv Tigerstedt, *Deputy Section Registrar,*

Having regard to:

the applications (nos. 37354/23 and 37961/23) against the Slovak Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by the applicants listed in the appended table ("the applicants"), on the various dates indicated therein;

the decision to give priority (Rule 41 of the Rules of Court) to the applications;

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns the applicants' complaint about the material conditions of their detention and the prison regime restrictions applied to them on account of their status as prisoners serving life sentences.

2. The applicants are life prisoners in subgroup D1 (see paragraph 8 below) who are detained in Ilava Prison, Banská Bystrica Prison and Leopoldov Prison.

3. In abstract terms, the applicants complained that they had no genuine prospect of release; that they were separated from the rest of the prison population; that handcuffs were used every time prisoners left their cells, and that both handcuffs and ankle cuffs were used; that devices to block their vision and hearing were used while they were being transported; that video

surveillance was used; that there were limited possibilities for sporting and leisure activities; that access to television and music was restricted; that the food was of bad quality; that wages were low; that they had either daily walks lasting one hour or no walks at all; that there were unspecified restrictions on contact with their family; that there was no access to the internet; that there were restrictions on the wearing of civilian clothing; and that life prisoners in Slovakia were in a worse situation than those in other EU countries.

4. The applicants made numerous submissions to the Public Prosecution Service and the Ministry of Justice which were seen as expressions of opinion and comments on penal matters, but not specific complaints that could be acted upon.

5. On 8 June 2023 the Constitutional Court rejected the submissions of the applicants in application no. 37354/23 (case no. IV. US 321/2023-15), in which they had sought to advance essentially the same arguments as those described above. The court held that their arguments amounted to no more than an expression of general discontent with the organisation of the penal system in relation to the execution of life sentences, and that this was outside the remit of an individual complaint.

6. Referring to several Articles, in particular Articles 3, 8, 13 and 14 of the Convention, as well as Article 1 of Protocol No. 1 to the Convention, the applicants complained in general terms about various aspects of the prison regime and the material conditions of their detention (see paragraph 3 above).

RELEVANT DOMESTIC LAW AND PRACTICE

7. For provisions of the legislation on the relevant existing remedies regarding conditions of detention and prison regime as applied to life prisoners, see, *mutatis mutandis*, *Ribár v. Slovakia* (no. 56545/21, §§ 70-71, 82, 84 and 85, 12 December 2024).

8. In accordance with the law currently in force, life prisoners are divided into two subgroups, D1 and D2. This division is based on the level of risk posed by the prisoners and the need for security and supervision in the execution of their sentences. The D1 subgroup includes life prisoners who have been assessed to pose a higher security risk, and the D2 subgroup includes life prisoners who pose a lower risk (see section 78 of the Execution of Prison Sentences Order, Decree of the Minister of Justice no. 368/2008 Coll., as amended).

9. On 1 January 2025 an amendment to the Constitution of the Slovak Republic which had been adopted on 9 December 2020 (Constitutional Law no. 422/2020 Coll.) entered into force. Paragraph 5 was added to Article 127, allowing an individual to initiate proceedings before the Constitutional Court to review a law’s compatibility with the Constitution.

THE COURT'S ASSESSMENT

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

11. The Court notes at the outset that all of the applicants in the present case had similar complaints rejected on 1 December 2022 by the Court acting in a single-judge formation (*P.L. and Others v. Slovakia*, no. 35268/20). Accordingly, this raises the question of whether the present case is admissible under Article 35 § 2 (b) of the Convention. On the facts of the case, however, the Court considers that it is not necessary to give a definitive answer to this question, since the case is in any event inadmissible on the following grounds.

12. As regards the definition of the subject matter of the application, the Court reiterates that its case-law is clear that a complaint is characterised by the facts alleged in it, and not merely by the legal grounds or arguments relied on (see *Scoppola v. Italy* (no. 2) [GC], no. 10249/03, § 54, 17 September 2009).

13. The Court is mindful of the objective difficulties experienced by the applicants in collecting evidence to substantiate their claims about the conditions of their detention and the prison regime. Nevertheless, an applicant must provide a comprehensive and consistent account of the relevant conditions of detention and regime, mentioning specific elements such as periods and places of detention, which would enable the Court to determine that the complaint in question is not manifestly ill-founded or inadmissible on any other grounds. Only a credible and reasonably detailed description of the allegedly degrading conditions of detention and regime constitutes a *prima facie* case of ill-treatment and serves as a basis for giving notice of the complaint to the respondent Government (see *Ananyev and Others v. Russia*, nos. 42525/07 and 60800/08, § 122, 10 January 2012).

14. In the present case, the applicants' submissions contain general statements about the prison regime and conditions of detention in their prisons. These statements do not include any information about the relevant facts or the nature of the alleged violations as regards their specific situation. The detention facilities in which the applicants are detained are identifiable on the basis of the information provided by them, in particular, a table with their contact details, and the contact information in the application form. However, in the statements of facts for their relevant applications, they did not indicate how long they had been detained in the relevant facilities or the specific restrictions applied to them personally. They did not refer to any specific instances of ill-treatment which they had experienced. Lastly, in the present context, the Court attaches particular weight to the fact that the applicants were represented by a lawyer (see, *mutatis mutandis*, *Adam and Others v. Germany* (dec.), no. 290/03, 1 September 2005). Therefore, the applicants' allegations have not been substantiated with specific information and cannot constitute complaints that are admissible within the meaning of

Articles 34 and 35 of the Convention (see *Ponushkov v. Russia*, no. 30209/04, § 51, 6 November 2008, and, *mutatis mutandis*, *Zverev v. Russia* (dec.), no. 16234/05, § 18, 3 July 2012).

15. Moreover, the Court reiterates that the rule of exhaustion of domestic remedies referred to in Article 35 § 1 of the Convention obliges those seeking to bring their case against the State before an international judicial or arbitral organ to use first the remedies provided by the national legal system (see *Akdivar and Others v. Turkey*, 16 September 1996, §§ 65-67, *Reports of Judgments and Decisions* 1996-IV, with further references; *Vučković and Others v. Serbia* (preliminary objection) [GC], nos. 17153/11 and 29 others, §§ 69-77, 25 March 2014; and *Maslák v. Slovakia (no. 2)*, no. 38321/17, § 113, 31 March 2022).

16. The Court notes that the applicants have not made proper use of the remedies whose effectiveness was extensively examined and upheld in the judgment in *Ribár* (cited above, §§ 81, 82 and 87). In so far as any of their submissions might be understood to suggest that any alleged violation stems directly from statute and cannot be effectively challenged at domestic level (see *Ribár*, cited above, § 85), such a complaint is general, abstract and unsubstantiated. Moreover, on 1 January 2025 a constitutional amendment entered into force, providing for a new procedural avenue for asserting fundamental rights and freedoms before the Constitutional Court in situations where a violation is alleged to stem directly from statute (see paragraph 9 above, and, for illustrative purposes, *Július Pereszlényi - Servis TV - Video v. Slovakia* [Committee], no. 25175/15, § 24, 25 May 2021).

17. It follows that these applications are inadmissible and must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 11 September 2025.

Liv Tigerstedt Deputy Registrar	Artūrs Kučs President

APPENDIX

List of cases:

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality	Represented by
1.	37354/23	Váradi and Others v. Slovakia	03/10/2023	**Jozef VÁRADI** 1981 Ilava Slovak **Roman CHOCHOLÁČ** 1989 Leopoldov Slovak **Ivan CUPPER** 1965 Ilava Slovak **Peter LADUNA** 1973 Ilava Slovak **Miroslav LEHOTSKÝ** 1978 Ilava Slovak **Miloš URIGA** 1969 Ilava Slovak	Marek ČUHÁK

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality	Represented by
2.	37961/23	Polgári and Others v. Slovakia	05/10/2023	**Tibor POLGÁRI** 1961 Ilava Slovak **Roman BARANČÍK** 1973 Ilava Slovak **Ladislav BOLDIŽÁR** 1973 Leopoldov Slovak **Rudolf DORČÍK** 2001 Banska Bystica Slovak **Miroslav DUNKA** 1963 Leopolodov Slovak **Miroslav KAVICKÝ** 1957 Leopoldov Slovak **Jozef KOKY** 1977 Leopoldov Slovak **Norbert LAKATOŠ** 1989 Leopoldov Slovak **Matej RICHTER** 1971 Ilava Slovak	Marek ČUHÁK