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

FIRST SECTION

DECISION

Application no. 3423/22
Rafał ZIELIŃSKI against Poland
and 2 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 5 December 2026 as a Committee composed of:

Georgios A. Serghides*, President*,
Erik Wennerström,
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 deliberated, decides as follows:

FACTS AND PROCEDURE

The list of the applicants and their representatives is set out in the appendix.

The applicants' complaints under Article 6 § 1 of the Convention about a violation of their right to a hearing by an "independent and impartial tribunal established by law," since their civil or criminal cases had been decided by formations of the Supreme Court composed of judges appointed in the procedure involving the National Council of the Judiciary, were communicated to the Polish Government ("the Government").

In application no. 37087/22, the Government submitted their observations on the admissibility and merits of the application. On 28 August 2024 the applicant was notified that the extended period allowed for submission of the observations had expired and that no further extension of time had been requested.

In applications nos. 3423/22 and 15188/22 the Government made friendly settlement proposals which were forwarded to the applicants for comments on 13 and 27 March 2024, respectively. On 5 September 2024 the proposal with a request to submit comments by 19 September 2024 was again

forwarded to the applicants' newly appointed lawyer. On 27 September 2024 the applicants were notified that the period allowed for submission of their position on the friendly settlement proposal had expired and that they had not submitted any comments or observations.

In all cases the applicants' attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The letters were sent to the applicants' lawyers via the Court's Electronic Communication System (eComms) which they had used in the past. However, no response has followed.

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.

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the applications.

Accordingly, the cases should be struck 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.

Done in English and notified in writing on 16 January 2025.

Viktoriya Maradudina Acting Deputy Registrar	Georgios A. Serghides President

APPENDIX

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of the Government's Observations/ proposal	Time-limits for submission of response by the applicant	Date of the Court's most recent letter by eComms
1.	3423/22 22/12/2021	**Rafał ZIELIŃSKI** 1974	Kossow Michał Warsaw	04/03/2024	11/04/2024 19/09/2024	27/09/2024
2.	15188/22 15/03/2022	**Ilona Elżbieta ZIELIŃSKA** 1969	Kossow Michał Warsaw	08/03/2024	11/04/2024 19/09/2024	27/09/2024
3.	37087/22 24/07/2022	**Wojciech WITKOWSKI** 1982	Kowalska Katarzyna Anna Warsaw	14/06/2023	31/08/2023	28/08/2024