



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

FIRST SECTION

DECISION

Application no. 8333/23
Lehel HORVÁTH
against Slovakia
(see appended table)

The European Court of Human Rights (First Section), sitting on 17 September 2026 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 application against Slovakia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 9 February 2023,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant’s details are set out in the appended table. The applicant was represented by Mr P. Schmidl, a lawyer practising in Malacky.

The applicant’s complaint under Article 5 § 4 of the Convention concerning the excessive length of judicial review of his request to be released from the pre-trial detention was communicated to the Slovak Government (“the Government”).

On 4 February 2022 the applicant lodged a request for release from pre-trial detention. On 17 February the Specialised Criminal Court (“SCC”) dismissed it. The applicant’s interlocutory appeal was dismissed by the Supreme Court on 28 March 2022, and the decision was served on him on the same day. On 27 September 2022 the Constitutional Court dismissed the applicant’s constitutional complaint as manifestly ill-founded. It found that although there had been some delays attributable to the SCC, they had not been of such a significant nature as to call into question the speediness of the

review. Moreover, some of the delays also resulted from the applicant's requests (request to inspect the case file which was later cancelled due to the applicant's illness and a request to have a copy of the case file), as well as to the complexity of the criminal proceedings pending against him. The Constitutional Court further noted that the Supreme Court had acted very swiftly, having received the case file on 21 March 2022, delivered its decision on 28 March 2022 and served it on the applicant on the same day. In these circumstances, the Constitutional Court held that the overall duration of the ordinary courts' review of the applicant's request had complied with the requirement of speediness (IV. ÚS 485/2022).

THE LAW

The applicant complained under Article 5 § 4 of the Convention that the judicial review of his request to be released from the pre-trial detention had taken excessively long.

Relying on the Constitutional Court's decision the Government submitted that the complaint was manifestly ill-founded.

The Court refers to the relevant principles described in the leading case of *Osváthová v. Slovakia* (no. 15684/05, §§ 69-77, 21 December 2010). It reiterates that, according to its case-law, the period under consideration for the purposes of Article 5 § 4 of the Convention begins with the lodging of an application with the domestic authorities and, in the absence of a public pronouncement of the decision, ends on the day the decision is communicated to the applicant or to his representative (see, for example, *Singh v. the Czech Republic*, no. 60538/00, § 74, 25 January 2005, and *Cabala v. Slovakia*, no. 8607/02, § 68, 6 September 2007). Furthermore, when assessing the requirement of speediness, specific circumstances of each individual case, such as the complexity of the proceedings, their conduct by the domestic authorities and by the applicant, must also be taken into account (see, for example, among many other authorities, *Mooren v. Germany* [GC], no. 11364/03, § 106, 9 July 2009).

In the present case the Court notes that the period under consideration lasted one month and twenty-one days, during which time the applicant's request for release was examined by two levels of ordinary courts.

Having examined all the material before it, in particular the Constitutional Court's decision, the Court considers that the length of the judicial review of detention in the present case was not excessive (compare *Markech v. Slovakia* [Committee], no. 15518/22, 16 May 2024, and contrast *Bartošová v. Slovakia* [Committee], no. 19735/22, § 17, 27 November 2025).

In view of the above, the Court finds that the complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

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For these reasons, the Court, unanimously,

Declares the application inadmissible.

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

Viktoriya Maradudina
Acting Deputy Registrar

Frédéric Krenč
President

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APPENDIX

Application raising complaints under Article 5 § 4 of the Convention
(excessive length of judicial review of detention)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of lodging complaint or request for release	End of judicial review of detention	Total length Levels of jurisdiction	Domestic court File number Domestic award (in euros)
8333/23 09/02/2023	Lehel HORVÁTH 1963	Schmidl Peter Malacky	04/02/2022	28/03/2022	1 month and 21 days 2 levels	Constitutional Court IV. ÚS 485/2022 0