



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

FIRST SECTION

DECISION

Application no. 39471/22
Ewa LESZCZYŃSKA-FURTAK against Poland
and 2 other applications
(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 applications against the Republic of Poland lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table,

Having regard to the declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants’ complaints under Article 6 § 1 and Article 8 of the Convention concerning the lack of judicial review of their involuntary transfer to another division of their court and the impact thereof on their private lives were communicated to the Polish Government (“the Government”). Another complaint based on the same facts was also communicated under Article 18 of the Convention.

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 Government informed the Court that they proposed to make unilateral declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications in accordance with Article 37 of the Convention.

The Government acknowledged the violation of Article 6 § 1 and Article 8 of the Convention. They offered to pay the applicants the amounts detailed in the appended table and invited the Court to strike the applications out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts 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 these amounts within the above-mentioned three-month period, the Government undertook 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 applicants were sent the terms of the Government's unilateral declarations several weeks before the date of this decision. The Court has not received a response from the applicants accepting the terms of the declarations.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

“... for any other reason established by the Court, it is no longer justified to continue the examination of the application”.

Thus, it may strike out applications under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicants wish the examination of the cases to be continued (see, in particular, the *Tahsin Acar v. Turkey* judgment (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established clear and extensive case-law concerning complaints relating to the involuntary transfer of judges (see, for example, *Bilgen v. Turkey*, no. 1571/07, 9 March 2021, and *Biliński v. Poland*, no. 13278/20, 15 January 2026).

Noting the admissions contained in the Government's declarations as well as the amount of compensation proposed – which is consistent with the amounts awarded in similar cases – the Court considers that it is no longer justified to continue the examination of the applications in the part covered by the Government's unilateral declaration (Article 37 § 1 (c)).

In the light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the applications in the part covered by the unilateral declaration (Article 37 § 1 *in fine*).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declarations, the applications may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the cases out of the list as regards the complaints under Article 6 § 1 and Article 8 of the Convention.

As regards the applicants' complaint communicated under Article 18 of the Convention that their transfer constituted a reprisal for the contents of their judicial decisions and declarations, the Court considers that by way of the above-mentioned unilateral declaration and the Court's decision to strike out the complaints under Article 6 § 1 and Article 8 of the Convention, the main legal questions raised in the present application have been addressed. The Court concludes, therefore, that there is no need to examine this part of the applications separately (see, among other authorities, *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 165, ECHR 2014; for a similar approach in strike-out decisions see *Robert Bosch d.o.o. v. Croatia* (dec.) [Committee], no. 6598/22, 10 November 2022, and *Nasibov v. Azerbaijan* (dec.) [Committee], no. 77770/17, 19 February 2026).

For these reasons, the Court, unanimously,

Decides to join the applications;

Takes note of the terms of the respondent Government's declarations and of the arrangements for ensuring compliance with the undertakings referred to therein;

Decides to strike the applications out of its list of cases as regards the complaints under Article 6 § 1 and Article 8 of the Convention in accordance with Article 37 § 1 (c) of the Convention;

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Decides that there is no need to examine the remaining part of the applications.

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

Viktoriya Maradudina
Acting Deputy Registrar

Frédéric Krenc
President

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APPENDIX

List of applications raising complaints under Article 6 § 1 and Article 8 of the Convention

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of applicant's comments	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) ¹
1.	39471/22 16/08/2022	Ewa LESZCZYŃSKA-FURTAK 1968	Zemła Piotr Warsaw	17/03/2026	16/04/2026	19,500
2.	39477/22 16/08/2022	Ewa GREGAJTYS 1972	Zemła Piotr Warsaw	17/03/2026	16/04/2026	19,500
3.	44068/22 16/09/2022	Marzanna Anna PIEKARSKA-DRAŻEK 1965	Zemła Piotr Warsaw	17/03/2026	16/04/2026	19,500

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