



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

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SECOND SECTION

Application no. 32632/23
István TÓTH against Hungary
and 3 other applications
(see list appended)
communicated on 2 October 2026

SUBJECT MATTER OF THE CASE

The applications concern the detainee applicants' inability to access the compensation they were awarded for cramped conditions of detention.

The applicants are serving life sentences in different prisons in Hungary.

On various dates, the applicants were awarded compensation (see the appended table) by the competent domestic courts in accordance with Act no. CCXL of 2013 on the Execution of Punishments, Measures, Certain Coercive Measures and Detention for Regulatory Offences ("the Execution of Punishments Act") in relation to the cramped detention conditions to which they had been subjected. However, that compensation was set aside in their holding accounts (a type of escrow account administered by the penal institution) until their release in line with section 133(4a) of the Execution of Punishments Act. This provision entered into force on 1 January 2021.

The applicants submitted that they had been unable to access the compensation ever since. It appears that the prison governor granted access to applicant Y to certain amounts of the compensation.

The applicants complain about their inability to dispose of or access the compensation they were awarded by the domestic courts for cramped conditions of detention. They furthermore argue that this resulted in the non-enforcement of those court decisions. They rely on Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1.

QUESTION TO THE PARTIES

Did the applicants have at their disposal an effective domestic remedy as required by Article 13 taken in conjunction with Article 3 of the Convention given their alleged inability to access the compensation which they were awarded for cramped conditions of detention (see, *mutatis mutandis*, *Ottlakán v. Hungary*, no. 17201/23, §§ 41-48, 16 June 2026)?

TÓTH v. HUNGARY AND OTHER APPLICATIONS – SUBJECT MATTER OF THE CASE AND
QUESTIONS

APPENDIX

No.	Application no.	Case name	Lodged on	Represented by
1.	32632/23	Tóth v. Hungary	18/08/2023	
2.	40852/23	Kovács v. Hungary	20/10/2023	Arthur KOVÁCS
3.	1284/24	X v. Hungary	06/12/2023	Ivóna BIEBER
4.	2104/26	Y v. Hungary	08/01/2026	Tímea Ágnes KOVÁCS