



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

FIRST SECTION

DECISION

Application no. 15548/23

Štefan URBAN
against Slovakia

The European Court of Human Rights (First Section), sitting on 1 October 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 the Slovak Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 26 May 2023;

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant’s details are set out in the appended table.

The applicant was represented by Ms M. Lichnerová, a lawyer practising in Martin.

The applicant’s complaints under Article 6 § 1 and Article 13 of the Convention concerning the alleged excessive length of administrative proceedings and the alleged lack of effective domestic remedy in that regard were communicated to the Slovak Government (“the Government”) on 28 September 2023.

On 27 April 2017 the applicant lodged a request for an early retirement pension with the Social Insurance Agency. After several rounds of proceedings before the Social Insurance Agency and the administrative courts, the applicant lodged a new appeal on 7 January 2021 against the decision of the Social Insurance Agency of 14 December 2020. On 26 April 2023 the Constitutional Court dismissed the applicant’s first

constitutional complaint (IV. ÚS 230/2023). As appears from the Government's observations, on 23 November 2023 the Constitutional Court found a violation of the applicant's right to a hearing within a reasonable time in the administrative proceedings concerning his early retirement pension, awarded him 1,000 euros (EUR) in just satisfaction and ordered the administrative court to act without further delays. As can be seen from the Constitutional Court's judgment, in assessing the length of the proceedings, that court considered the duration of the proceedings before the Social Insurance Agency as well as that before the first-instance administrative court (III. ÚS 471/2023). As further appears from the Government's observations, on 24 November 2023 the first-instance administrative court dismissed the applicant's administrative action.

THE LAW

The Government objected that the application constituted an abuse of the right of individual application as the applicant had failed to inform the Court about the Constitutional Court's judgment of 23 November 2023. The applicant responded that at the time of the introduction of his application he had not known about the judgment. Moreover, even if he had known about it, he would still have lodged the application as he did not agree with the amount of just satisfaction.

The Court notes that an application may be rejected as an abuse of the right of individual application, if, among other reasons, it was knowingly based on false information or if significant information and documents were deliberately omitted either where they were known from the outset or where new significant developments occurred during the proceedings (see *Gross v. Switzerland* [GC], no. 67810/10, § 28, ECHR 2014, and compare *Toromag, s.r.o and 4 others v. Slovakia* [Committee] (dec.), no. 41217/20, § 6, 28 June 2022, with further references).

The Court notes that in 2023 the applicant was awarded EUR 1,000 in just satisfaction by the Constitutional Court for the excessive length of the same administrative proceedings as challenged before the Court. Having regard to the subject matter and outcome of the Constitutional Court's judgment of 23 November 2023, the Court considers that it concerns the very core of the case, in particular as regards the redress afforded to the applicant, in relation to the question of his status as of a victim within the meaning of Article 34 of the Convention of the alleged violation of the Convention and, as the case may be, as regards the amount of just satisfaction to be awarded under Article 41 (see *Buzinger v. Slovakia* (dec.), no. 32133/10, § 21, 16 June 2015).

In this connection, the Court observes that it appears from the case file that the lawyer, who has been representing the applicant in the proceedings before it, was, at the relevant time, associated with the same law firm that had

represented the applicant in the domestic proceedings, in particular in the proceedings leading to the Constitutional Court's judgment of 23 November 2023. Therefore, she must have been aware of the outcome of those proceedings. However, the Court only learned about the existence of that judgment from the Government's observations and no convincing explanation has been provided as to why the applicant or his lawyer failed to inform the Court of that development, notwithstanding the Registry's letter of 5 October 2023 expressly requesting them to keep the Court informed of any significant new developments, including relevant domestic decisions. The Court reiterates that an irresponsible or frivolous attitude towards the Court by an applicant or his representative may result in the application being dismissed as abusive (see *Danese and Others v. Italy* [Committee] (dec.), nos. 11399/16 and 11436/16, 13 September 2016, with further references).

The Court reiterates that lawyers must understand that, having due regard to the Court's duty to examine allegations of human rights violations, they must show a high level of professional prudence and meaningful cooperation with the Court by sparing it from the introduction of unmeritorious complaints and, once proceedings have been instituted, then meticulously abide by all the relevant rules of procedure and urge their clients to do the same (see *Bekauri v. Georgia* (preliminary objection), no. 14102/02, § 24, 10 April 2012). Otherwise, the wilful or negligent misuse of the Court's resources may undermine the credibility of lawyers' work in the eyes of the Court and may even, if it occurs systematically, result in particular individual lawyers being banned from representing applicants under 44D §§ 1 and 2 of the Rules of Court (see *Stevančević v. Bosnia and Herzegovina* (dec.), no. 67618/09, § 29, 10 January 2017).

In view of the above, the Court finds that the complaints must be rejected as an abuse of the right of individual application, pursuant to Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 22 October 2026.

Viktoriya Maradudina
Acting Deputy Registrar

Frédéric Krenc
President

URBAN v. SLOVAKIA DECISION

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention
(excessive length of administrative proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Domestic court File number Domestic award (in euros)	Other complaints under well-established case-law
15548/23 26/05/2023	Štefan URBAN 1957	Monika Lichnerová Martin	24/11/2017 27/07/2020 07/01/2021	11/07/2018 06/10/2020 24/11/2023	3 years and 8 months and 16 days 1 level of jurisdiction	Constitutional Court IV. ÚS 230/2023 0	Art. 13 - lack of any effective remedy in domestic law to complain about the excessive length of administrative proceedings