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**Vereinigung Europäischer Verwaltungsrichter
Fédération Européenne des Juges Administratifs
Associazione dei Magistrati Amministrativi Europei
Association of European Administrative Judges**

Working group “Independence and Efficiency”

**Workshop of Münster (Germany) – 7th of June 2013
at the Verwaltungsgericht Münster, Piusallee 38, 48147 Münster**

“Legal remedies and compensation in case of long lasting procedures”

Questionnaire:

According to article 6 of the ECHR a judicial decision has to be made within a reasonable time. The majority of Convention violations that the Court finds today are excessive delays, in violation of the "reasonable time" requirement, in civil and criminal proceedings before national courts. To appreciate this “reasonable time” the ECHR takes into account the complexity of the case, its issues, and conduct of the parties, claimant and defendant, the administrative authorities.

1. Does the law require administrative courts to adjudicate within a maximum delay?

1.1. In all subjects

1.2. Only in some matters

2. How this delay is computed?

3. Does the parties have special mechanisms to ask administrative courts to speed up the processing of a case?

4. Is there special mechanisms for administrative courts to accelerate the progress of a pending litigation?

5. What are the legal consequences of non-compliance with the legal limit? Is there a principle of divestiture of the relevant jurisdiction in favor of the superior court (Court of Appeal or Supreme Court?)

6. Your country had been frequently condemned by the European Court of Human Rights for breach of the reasonable time within the meaning of Article 6? Do you have statistics on this topic? Could you give some examples of cases?

7. Is this requirement of Article 6 of the ECHR implemented in your country also by provisions of national law?

8. Is it possible to engage the responsibility of the State for damages in case of breach of the reasonable time by an administrative court? If so, this system is defined by law or case law? If not, is there a project being discussed at the moment?

9. What is the procedure? Before which kind of court, before administrative courts?

10. What are the criteria used to assess the length of the procedure?

11. Is it possible to implement the individual responsibility of a judge for any breach of the reasonable time?

12. Do you have national statistics on the average processing time for cases by the administrative courts in your country?