

## *European Court of Human Rights slams Spains' slow justice*

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The European Court of Human Rights has criticised Spain for its "slow" justice system. The case was presented by Martín Vicente Llavador, a Spanish citizen from Alicante, after his case was accepted in 1999 only to be thrown out four years later for insufficient evidence. The ECHR found Spain to be in breach of article 6.1 of the European Agreement on Human Rights, which states that all EU citizens have the right to "speedy equitable and effective justice".

Sr Vicente presented a complaint against a decision by the Valencian Development Ministry that affected land which he owned in Bocairent (Valencia). After his complaint was dismissed by the Ministry, Sr Vicente appealed to the local court for a ruling (recurso contencioso-administrativo) which was partially admitted in May of 1998 by the Supreme Court of the Community of Valencia.

However, the case was finally accepted by the court in 1999 and the Court gave the other party 30 days to submit evidence for the trial. As nothing was ever received, it took almost four years for the case to be reviewed, at which point (in November 2002) the Court ruled that too much time had passed and archived the case without hearing it.

Sr Vicente then appealed against this decision, and his case was accepted for trial by the ECHR.

The sentence condemns Spain's slow justice system and theoretically opens the way for the EU to insist that Spain speeds up its justice system. It also paves the way for Sr Vicente, and others in a similar situation, to ask for compensation from the State for infringement of their human rights. It could also allow Sr Vicente to reopen his original case.