



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

Press Unit  
Unité de la Presse

Press country profile  
Fiche pays pour la presse

Last updated: July 2019

# The Republic of North Macedonia\*

\* According to the agreement of 17 June 2018, which entered into force on 12 February 2019, as notified to international organisations on 14 February 2019, "the former Yugoslav Republic of Macedonia" became the Republic of North Macedonia - short name North Macedonia.

## Ratified the European Convention on Human Rights in 1997

### National Judge: Jovan Ilievski

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Margarita Tsatsa-Nikolovska (1998-2008), Mirjana Lazarova Trajkovska (2008-2017)

[List of judges of the Court since 1959](#)

The Court dealt with 278 applications concerning "The former Yugoslav Republic of Macedonia" in 2018, of which 263 were declared inadmissible or struck out. It delivered 12 judgments (concerning 15 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2017	2018	2019*
Applications allocated to a judicial formation	345	305	157
Communicated to the Government	59	36	6
Applications decided:	296	278	135
- Declared inadmissible or struck out (Single Judge)	265	239	120
- Declared inadmissible or struck out (Committee)	20	23	7
- Declared inadmissible or struck out (Chamber)	1	1	0
- Decided by judgment	10	15	8

\* January to July 2019

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).

Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2019	
Total pending applications*	385
Applications pending before a judicial formation:	361
Single Judge	41
Committee (3 Judges)	231
Chamber (7 Judges)	89
Grand Chamber (17 Judges)	0

\*including applications for which completed application forms have not yet been received

## "The former Yugoslav Republic of Macedonia" and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### **Ališić and Others v. Bosnia and Herzegovina, Croatia, Serbia, Slovenia and “The former Yugoslav Republic of Macedonia”**

16 July 2014

Concerned the applicants’ inability to recover “old” foreign-currency savings – deposited with two banks in what is now Bosnia and Herzegovina – following the dissolution of the former Socialist Federal Republic of Yugoslavia (SFRY).

The Court held:

With regard to Mr Šahdanović: unanimously, that there had been a violation of Article 1 of Protocol No. 1 (protection of property) and a violation of Article 13 (right to an effective remedy) by Serbia;

With regard to Ms Ališić and Mr Sadžak: unanimously, that there had been a violation of Article 1 of Protocol No. 1 and a violation of Article 13 by Slovenia;

With regard to the other respondent States: by a majority, that there had been no violation of Article 1 of Protocol No.1 and no violation of Article 13, and, unanimously, that there had been no violation of Article 14 taken together with Article 13 and Article 1 of Protocol No. 1.

#### **El-Masri v. “The former Yugoslav Republic of Macedonia”**

13 December 2012

The case concerned the complaints of a German national of Lebanese origin that he had been a victim of a secret “rendition” operation during which he was arrested, held in isolation, questioned and ill-treated in a Skopje hotel for 23 days, then transferred to CIA agents who brought him to a secret detention facility in Afghanistan, where he was further ill-treated for over four months.

The Court found Mr El-Masri’s account to be established beyond reasonable doubt and held that “the former Yugoslav Republic of Macedonia” had been responsible for his torture and ill-treatment both in the

country itself and after his transfer to the US authorities in the context of an extra-judicial “rendition”.

Violation of Article 3 (prohibition of torture and inhuman or degrading treatment) on account of the inhuman and degrading treatment to which Mr El-Masri was subjected while being held in a hotel in Skopje, on account of his treatment at Skopje Airport, which amounted to torture, and on account of his transfer into the custody of the United States authorities, thus exposing him to the risk of further treatment contrary to Article 3

Violation of Article 3 on account of the failure of “the former Yugoslav Republic of Macedonia” to carry out an effective investigation into Mr El-Masri’s allegations of ill-treatment

Violations of Article 5 (right to liberty and security) on account of his detention in the hotel in Skopje for 23 days and of his subsequent captivity in Afghanistan, as well as on account of the failure to carry out an effective investigation into his allegations of arbitrary detention

Violation of Article 8 (right to respect for private and family life)

Violation of Article 13 (right to an effective remedy)

### Chamber

#### **Right to life cases (Article 2)**

#### **Kitanovska Stanojkovic and Others v. “The former Yugoslav Republic of Macedonia”**

13.10.2016

The case concerned the delayed enforcement of the sentence imposed on one of the assailants found guilty of seriously assaulting a couple during a robbery of their home.

Violation of Article 2

#### **Inadmissibility decision**

#### **Deari and others v. “The former Yugoslav Republic of Macedonia”**

Alleged excessive use of force by police against applicants’ sons, Macedonians of ethnic Albanian origin.

Application declared inadmissible as the applicants failed to comply with the six-month rule.

**Cases dealing with torture and inhuman or degrading treatment (Article 3)**

**[Sulejmanov v. “The former Yugoslav Republic of Macedonia”](#)**

24 April 2008

**[Dzeladinov and Others v. “The former Yugoslav Republic of Macedonia”](#)**

10 April 2008

**[Jasar v. “The former Yugoslav Republic of Macedonia”](#)**

15 February 2007

These three cases concerned the lack of an effective investigation into the applicants’ allegations of police brutality. All applicants were of Roma origin.

No violation of Article 3

Violation of Article 3 (lack of an effective investigation)

**Cases concerning the right to liberty and security (Article 5)**

**[Selami and Others v. “the former Yugoslav Republic of Macedonia”](#)**

01.03.2018

The case concerned a family’s complaint that the compensation awarded for the unlawful detention and ill-treatment of their husband and father was too low.

Violation of Article 3 (prohibition of inhuman or degrading treatment)

Violation of Article 5 § 5 (right to compensation after unlawful detention)

**[Vasilkovski v. “The former Yugoslav Republic of Macedonia”](#)**

28 October 2010

High-profile corruption case: the 38 applicants – toll collectors, controllers and senior staff in a public roads enterprise – complained about their collective detention on suspicion of misappropriation of toll charges.

Violation Article 5 § 3

**[Stojanovski v. “The former Yugoslav Republic of Macedonia”](#)**

22 October 2009

Concerned unjustified continued detention of the applicant in a psychiatric institution.

Violation of Article 5 § 1

**Cases concerning Article 6**

[Right to a fair trial](#)

**[Ivanovski v. “The former Yugoslav Republic of Macedonia”](#)**

21 January 2016

The case concerned lustration proceedings against the then president of the Constitutional Court of “The former Yugoslav Republic of Macedonia”, as a result of which he was dismissed from office.

No violation of Article 6 as regards the alleged lack of access to court

Violation of Article 6 on account of the overall unfairness of the lustration proceedings

Violation of Article 8 (right to respect for private and family life)

**[Mitrinovski v. “The former Yugoslav Republic of Macedonia”](#)**

30 April 2015

The case concerned the dismissal from office of a judge of the Skopje Court of Appeal on the grounds of professional misconduct.

Violation of Article 6 § 1

**[Gorgievski v. “The former Yugoslav Republic of Macedonia”](#)**

16 July 2009

Concerned complaint by a sanitary border inspector that he was entrapped into committing an offence by an agent provocateur whose statement secured his conviction at trial.

No violation of Article 6 §§ 1 and 3 (d)

**[Solakov v. “The former Yugoslav Republic of Macedonia”](#)**

31 October 2001 - First Chamber judgment in respect of “The former Yugoslav Republic of Macedonia

Applicant, convicted of drug trafficking, complained that he had been unable to cross-examine the witnesses whose testimony served as the sole basis for his conviction, or to have witnesses on his behalf examined.

No violation of Article 6 §§ 1 and 3 (d) (right to a fair trial)

Right to a fair trial within a reasonable time

**Bočvarska v. “The former Yugoslav Republic of Macedonia”**

17 September 2009

Concerned non-enforcement of a final court decision in which the first applicant was conferred with the right to inherit a judgment debt against another company.

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1 (protection of property)

**Stoimenov v. “The former Yugoslav Republic of Macedonia”**

5 April 2007

Applicant complained that the national courts had convicted him on the basis of expert reports produced by the same ministry which had brought criminal charges against him, in breach of the principle of equality of arms.

Violation of Article 6 § 1

Presumption of innocence

**Poletan and Azirovik v. “The former Yugoslav Republic of Macedonia”**

12 May 2016

The case concerned the complaint of two persons convicted of drug trafficking that the criminal proceedings against them had been unfair. They notably alleged: that the trial court’s decision had lacked reasoning; that one of the applicants had been unable to consult the case file and that she had had no opportunity to examine two witnesses; and that the expert examination of the substance in question had been biased.

No violation of Article 6 §§ 1 (right to a fair trial) and 2 (right to life)

Right to an interpreter

**Inadmissibility decision**

**Pula v. North Macedonia**

06.06.2019

The application concerned the requirement for an interpreter in criminal proceedings.

Application declared inadmissible as manifestly ill-founded.

**Private and family life cases  
(Article 8)**

**Tasev v. North Macedonia**

16.05.2019

The case concerned the authorities’ refusal to grant Mr Tasev’s request to have his ethnicity entry in the electoral roll for judges changed.

Violation of Article 8

**Inadmissibility decisions**

**Vraniskoski v. “The former Yugoslav Republic of Macedonia”**

Declared inadmissible on 22 June 2010

**Vraniskoski v. “The former Yugoslav Republic of Macedonia (no. 2)”**

Declared inadmissible on 26 May 2009

Concerned complaints by a former bishop of the Macedonian Orthodox Church:

– under Article 8, that he was removed from the Eparchy building which served as his place of permanent residence and work (first case).

- under Articles 6 (right to a fair hearing), 9 (freedom of religion) and 10 (freedom of expression) about his conviction for inciting ethnic, racial and religious hatred and intolerance and sentencing to 18 months’ imprisonment (second case).

Applications both declared inadmissible for non-exhaustion of domestic remedies.

**Freedom of expression case  
(Article 10)**

**Selmani and Others v. “the former Yugoslav Republic of Macedonia”**

09.02.2017

The case concerned the forcible removal of journalists from the national Parliament gallery where they were reporting on a parliamentary debate about approval of the State budget for 2013.

Violation of Article 6 (right to a fair hearing) on account of the Constitutional Court’s failure to hold an oral hearing

Violation of Article 10 on account of the applicants’ removal from the Parliament gallery by security

**Cases concerning freedom association  
(Article 11)**

**[Association of Citizens Radko and Paunkovski v. “The former Yugoslav Republic of Macedonia”](#)**

15 January 2009

Concerned dissolution of the applicant association for being unconstitutional and for inciting national or religious hatred and intolerance.

[Violation of Article 11](#)

**Protection of property  
(Article 1 of Protocol No. 1)**

**Inadmissibility decision**

**[Trpevski and Others v. “the former Yugoslav Republic of Macedonia”](#)**

The applicants, former directors of a private bank, complained under Article 1 of Protocol No. 1 about domestic court decisions which annulled agreements under which they had obtained shares in the bank.

[Application declared inadmissible for non-compliance with six-month term.](#)

**Procedural safeguards relating to  
expulsion of aliens  
(Article 1 of Protocol No. 7)**

**[Ljatifi v. “the former Yugoslav Republic of Macedonia”](#)**

17.05.2018

The case concerned a complaint brought by a Serbian national, who had been living in “the former Republic of Macedonia” from the age of eight, that she had been ordered to leave the country because she was a risk to national security and that she was thus under an imminent threat of forcible expulsion at any time.

[Violations of Article 1 of Protocol No. 7](#)

**Noteworthy pending cases**

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**Cases concerning discrimination**

**Memedova v. North Macedonia (no. 42429/16), Kurtishova v. North Macedonia (no. 8934/18), and Abazov**

**and Others v. North Macedonia  
(no. 9886/18)**

Cases [communicated](#) to the Government on 4 September 2018

These cases concern border incidents in which the applicants, who are of Roma origin and are Macedonian/citizen of the Republic of North Macedonia, were not allowed to leave the respondent State because either they had not had sufficient financial means, a return ticket or a formal letter of invitation regarding their country of destination.

The applicants rely on Article 2 of Protocol No. 4 (freedom of movement), Article 14 (prohibition of discrimination), taken in conjunction with Article 2 of Protocol No. 4, and Article 1 of Protocol No. 12 (general prohibition of discrimination).

**Dželadin v. North Macedonia  
(no. 43440/15)**

Case [communicated](#) to the Government 22 September 2017

The applicants complain that incidents in which border police officers prohibited them from exiting the respondent State violated their right to freedom of movement under Article 2 of Protocol No. 4 and amounted to discrimination on the basis of their Roma origin, in contravention of Article 14, taken in conjunction with Article 1 of Protocol No. 4, and Article 1 of Protocol No.12 to the Convention.

**Memedov v. North Macedonia (no. 31016/17)**

Case [communicated](#) to the Government on 3 August 2017

The case concerns allegations of racially motivated physical abuse of the applicant, who is of Roma origin, by police officers.

The applicant relies on Articles 14 (prohibition of discrimination), taken in conjunction with Article 3 (prohibition of inhuman or degrading treatment) of the Convention, or of Article 1 of Protocol No. 12 (general prohibition of discrimination) to the Convention.

**X. and Y. v. North Macedonia  
(no. 173/17)**

Case [communicated](#) to the Government on 13 July 2017

The case concerns the allegedly inhuman treatment of the applicants, who are of Roma origin and were minors at the time,

by members of “Alfa” special mobile police unit and the domestic authorities’ failure to conduct a prompt and effective investigation into their allegations of racially motivated police brutality.

The applicants rely on Article 14 (prohibition of discrimination), taken in conjunction with Article 3 (prohibition of inhuman or degrading treatment) of the Convention, or of Article 1 of Protocol No.12 (general prohibition of discrimination) to the Convention.

#### **Other pending cases**

##### **Boškoski v. North Macedonia (no. 71034/13)**

Case [communicated](#) to the Government in July 2017

The case concerns criminal proceedings in which the applicant (leader of a political party) was convicted for misappropriation of funds for financing an electoral campaign.

The applicant complains under Article 5 about his detention and under Article 6 about the alleged unfairness of the criminal proceedings against him.

##### **Fine Doo and Canoski and Others v. North Macedonia (no. 37948/13)**

Case [communicated](#) to the Government in May 2017

The case concerns the demolition of a building under construction due to a partial failure to comply with the conditions of the building permit.

The applicants complain under Article 1 of Protocol No. 1 to the Convention that the demolition of their commercial building constituted an unjustified interference with the peaceful enjoyment of their property.

##### **A.A. and Others v. North Macedonia (nos. 55798/16, 55808/16, 55817/16, 55820/16, and 55823/16)**

Case [communicated](#) to the Government in January 2017

The case concerns allegations of summary deportation of refugees.

The applicants are Afghan, Iraqi and Syrian nationals. They complain that there was no individual assessment of their case by the national authorities and that their summary deportation amounted to collective expulsion, in violation of their rights under Article 4 of Protocol No. 4 of the Convention. Furthermore, they complain that they had no access to a procedure before the national authorities that would have allowed them to challenge and postpone their collective deportation to Greece, in violation of Article 13 of the Convention.

##### **Bekir and Others v. North Macedonia (no. 46889/16)**

Case [communicated](#) to the Government in September 2016

The applicants are a large group of Roma families, including children. The case concerns the demolition of the applicants’ makeshift dwellings in a settlement located near the centre of Skopje by the local authorities.

The applicants rely on Article 3 (prohibition of inhuman and/or degrading treatment), 8 (right to respect for family life) and 13 (right to an effective remedy) of the Convention.