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

SECOND SECTION

DECISION

Application no. 4137/21
Ruzhica NIKOLOVSKA
against North Macedonia
(see appended table)

The European Court of Human Rights (Second Section), sitting on 26 March 2026 as a Committee composed of:

Stéphane Pisani*, President*,
Juha Lavapuro,
Hugh Mercer*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application against the Republic of North Macedonia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 13 January 2021,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant's complaint under Article 10 of the Convention, concerning a fine imposed on her for contempt of court in the context of criminal proceedings in which she, as a lawyer, was representing an accused, was communicated to the Government of North Macedonia ("the Government").

THE LAW

After the failure of the attempts to reach a friendly settlement, the Government informed the Court that they proposed to make a unilateral declaration with a view to resolving the issues raised by this complaint. They further requested the Court to strike out the application in accordance with Article 37 of the Convention.

In the declaration submitted to the Court, the Government acknowledged that there had been a violation of the applicant's rights guaranteed under Article 10 of the Convention. They offered to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amount would be converted into the currency of the respondent State at the rate applicable on the date of payment, and would be payable within three months from the date of notification of the Court's decision.

The payment will constitute the final resolution of the case.

The applicant was sent the terms of the Government's unilateral declaration.

By a letter of 5 September 2025, the applicant, who represented herself in the proceedings before the Court, indicated that she was not satisfied with the terms of the unilateral declaration. She submitted that the Court had not so far delivered a judgement concerning freedom of expression of lawyers in the respondent State, and that a judgement of the Court in her case would prevent future violations of lawyers' rights in the respondent State.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

> "... for any other reason established by the Court, it is no longer justified to continue the examination of the application".

Thus, it may strike out an application under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicant wishes the examination of the case to be continued (see, in particular, the *Tahsin Acar v. Turkey* judgment (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established in a number of cases, in respect of different countries, its practice concerning similar complaints raised under Article 10 of the Convention (see, in particular, *Morice v. France* [GC], no. 29369/10, §§ 124-76, 23 April 2015; *Bono v. France*, no. 29024/11, §§ 43 et seq., 15 December 2015; *Rodriguez Ravelo v. Spain*, no. 48074/10, §§ 39-51, 12 January 2016; and *Pisanski v. Croatia*, no. 28794/18, §§ 66-75, 4 June 2024).

Noting the admissions contained in the Government's declaration as well as the amount of compensation proposed – which is consistent with the amounts awarded in similar cases – the Court considers that it is no longer justified to continue the examination of the application (Article 37 § 1 (c)).

Moreover, in light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application (Article 37 § 1 *in fine*).

The Court considers that in the event of failure to pay the amount indicated in the declaration within the above-mentioned three-month period, simple

interest shall be payable, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank plus three percentage points (compare with *Magdelinikj v. North Macedonia* (dec.) [Committee], no. 13208/20 and 4 other applications, § 16, 26 March 2024; *Zogović v. Montenegro* (dec.) [Committee], no. 60117/10, 6 February 2018; and *Aslan v. Turkey* (dec.) [Committee], no. 19882/10, § 22, 28 February 2017).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declaration, the application may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Takes note of the terms of the respondent Government's declaration and of the arrangements for ensuring compliance with the undertakings referred to therein;

Decides to strike the application out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

Done in English and notified in writing on 16 April 2026.

Viktoriya Maradudina	Stéphane Pisani
Acting Deputy Registrar	President

APPENDIX

Application raising complaints under Article 10 of the Convention (Freedom of expression)

Application no. Date of introduction	Applicant's name	Date of receipt of Government's declaration	Date of receipt of applicant's comments	Amount awarded for non-pecuniary damage and costs and expenses (in euros)[1]
4137/21 13/01/2021	**Ruzhica NIKOLOVSKA**	31/07/2025	05/09/2025	1,440

[1] Plus any tax that may be chargeable to the applicant.