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

SECOND SECTION

DECISION

Application no. 57830/21
Mitko SMILKOV
against North Macedonia
(see appended table)

The European Court of Human Rights (Second Section), sitting on 9 April 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 19 November 2021,

Having regard to the formal declarations accepting a friendly settlement of the case,

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 P. Zefikj-Jakimovska, a lawyer practising in Skopje.

The application concerns the applicant's detention on remand in the context of criminal proceedings against him for smuggling of migrants.

The applicant's complaints under Article 5 § 3 of the Convention that the courts did not provide sufficient reasons for his continued detention, and under Article 5 § 4 of the Convention about the alleged lack of speediness of the detention review proceedings were communicated to the Government of North Macedonia ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against North Macedonia in respect of the facts giving rise to this application, subject

to an undertaking by the Government to pay him the amount detailed in the appended table. This amount will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned three-month period, the Government undertake to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify a continued examination of the application.

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

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 13 May 2026.

Viktoriya Maradudina Acting Deputy Registrar	Stéphane Pisani President

APPENDIX

Application raising complaints under Article 5 §§ 3 and 4 of the Convention (lack of reasons for the detention and speediness of the detention review proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Date of receipt of Government's declaration	Date of receipt of applicant's declaration	Amount awarded for non-pecuniary damage and costs and expenses (in euros)[1]
57830/21 19/11/2021	**Mitko SMILKOV** 1974	02/03/2026	15/01/2026	4,750

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