

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

FIFTH SECTION

DECISION

Application no. 48570/07
by Blagoja TRIMOVSKI
against Slovenia

The European Court of Human Rights (Fifth Section), sitting on 3 November 2011 as a Committee composed of:

Ganna Yudkivska, *President,*
Boštjan M. Zupančič,
Angelika Nußberger, *judges,*
and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 September 2007,

Having regard to the comments submitted by the respondent Government,

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr Blagoja Trimovski, is a Slovenian national who was born in 1955 and lives in Polzela. He was represented before the Court by Ms N. Zidar Klemenčič, a lawyer practising in Ljubljana. The Slovenian Government ("the Government") were represented by their Agent.

In his brief and generalised submissions, the applicant stated that he complained about the civil proceedings concerning maintenance costs for his dwelling, which started with the enforcement proceedings on 20 June 2000 at the Celje Local Court and terminated on 8 March 2008 with the decision of the Constitutional Court, which was served on the applicant on 14 March 2007. He also complained that the domestic courts' decisions

were not sufficiently reasoned, without specifying his complaints in any way. He expressly invoked only Article 13 of the Convention.

After the Government had been given notice of the application in the part concerning the length of the proceedings under Articles 6 § 1 and 13 of the Convention, they submitted their observations and stated that in their view the applicant did not raise complaints under Article 6 § 1 of the Convention. With respect to the applicant's complaints under Article 13, they maintained that they were unsubstantiated and therefore manifestly ill-founded. In his reply, the applicant confirmed that he was only complaining under Article 13 of the Convention that the decisions of the domestic courts were insufficiently reasoned.

THE LAW

The Court notes that the applicant confirmed that he only wanted to complain under Article 13 of the Convention, expressly disavowing any claim under Article 6 of the Convention. The Court therefore finds that, in the light of the parties' submissions, the present application does not raise any issue under Article 6 of the Convention and that, having regard to Article 37 § 1 (a) of the Convention, it is no longer justified to continue the examination of this part of the application. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of this part of the application. In view of the above, it is appropriate to strike this part of the application out of the Court's list of cases (see, e. g., *Vlček against the Czech Republic* (dec.), no. 12045/05, 9 November 2010).

As to the remainder of the applicant's complaints, including the alleged violation of Article 13 of the Convention independently of any other Article, the Court considers that, having regard to all the material in its possession, and in so far as these complaints fall within its competence, they do not disclose any appearance of a violation of the applicant's rights. It follows that this part of the application must be rejected as being manifestly ill-founded, pursuant to Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases in so far as it concerns the complaint of the length of the proceedings under Article 6 of the Convention,

Declares inadmissible the remainder of the application.

Stephen Phillips Deputy Registrar	Ganna Yudkivska President