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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Plan (30/10/2026)

Communication from North Macedonia concerning the group of cases of Vasilkoski and Others v. the former Yugoslav Republic of Macedonia (Application No. 28169/08)

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Réunion : 1577e réunion (décembre 2026) (DH)

Référence du point : Plan d'action (30/10/2026)

Communication de la Macédoine du Nord concernant le groupe d'affaires Vasilkoski et autres c. « l'ex-République yougoslave de Macédoine » (Requête n° 28169/08) ***[anglais uniquement]***

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DGI
30 OCT. 2026
SERVICE DE L'EXECUTION DES ARRETS DE LA CEDH

Skopje, 30.10.2026

ACTION PLAN

Vasilkoski group of cases
v.
North Macedonia
Leading application no. 28169/08
Judgment of 28 October 2010, final on 28 January 2011

***Miladinov and Others*,**
no. 46398/09, judgment of 24 April 2014, final on 24 July 2014

***Ramkovski*,**
no. 33566/11, judgment of 8 February 2018, final on 8 May 2018

***Sejdiji*,**
no. 8784/11, judgment of 7 June 2018, final on 7 June 2018

***Docevska – Bozhinovska*,**
no. 25190/18, judgment of 9 May 2023, final on 9 May 2023

***Janakieski*,**
nos. 57325/19 and 16291/20, judgment of 14 November 2023, final on 14 February 2024

***Vasilevski*,**
no. 27509/18, judgment of 16 January 2024, final on 16 January 2024

***Peshov and Ristovski*,**
nos. 18678/18 and 19821/20, judgment of 16 January 2024, final on 16 January 2024

***Jovanov*,**
nos. 22738/20 and 35558/20, judgement of 7 July 2026, final on 7 July 2026

***Rashkovski and Stanchev*,**
nos. 52490/21 and 5 other applications, judgement of 13 October 2026, final on 13 October 2026

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I CASE DESCRIPTION

1. The cases *Vasilkoski and Others*, *Miladinov, Ramkovski*, *Sejdiji*, *Janakieski*, *Peshov and Ristovski*, *Jovanov* and *Rashkovski and Stanchev* concern violations of the applicants' right to liberty on account of the lack of concrete and sufficient grounds for their detention (violations of Article 5 § 3).
2. The cases of *Miladinov*, *Peshov and Ristovski*, *Vasilevski* and *Rashkovski and Stanchev* also concern non-observance of the principle of equality of arms in the proceedings for review of the applicants' detention, with the first also concerning the lack of an oral hearing (violation of Article 5 § 4).
3. The cases of *Docevska-Bozhinovska* and *Peshov and Ristovski* furthermore concern a violation of the applicants' right to liberty on account of the failure of the appeals court to timely serve the applicants the public prosecutor's appeal against the order for their house arrest (i.e. before panel had replaced the house arrest order with detention in prison).
4. These two cases, *Janakieski* and *Jovanov* additionally concern the lack of a speedy review of the applicants' detention (violation of Article 5 § 4).

II INDIVIDUAL MEASURES AND JUST SATISFACTION PAYMENT

5. Measures have been taken to ensure that the violations at hand have ceased and that the applicants were redressed for their adverse consequences. Relevant details are set out below.

A. INDIVIDUAL MEASURES

6. At the outset, the authorities indicate that on 21 April 2011 the applicant Mr Zvonko Pankovski, the only one in *Vasilkoski case* who was still in detention when the European Court rendered its judgment, was released from detention.
7. The authorities highlight that before the Court's judgments in *Ramkovski* and *Sejdiji* the applicants were convicted and started serving their prison sentences (§28, *Ramkovski* and §26, *Sejdiji*).
8. It is also recalled that the proceedings against the applicants Docevska – Bozhinovska and Vasilevski were stayed under the Amnesty Act concerning the events of 27 April 2017 (§ 4, *Docevska – Bozhinovska* and § 4, *Vasilevski*).
9. Furthermore, on 17 June 2024, the applicant Janakieski was released on conditional parole, under the condition that he does not commit a new criminal offense before the expiration of the parole period.
10. It is also recalled that on 5 October 2018 *Peshov* was released on bail. He was subsequently convicted (§§ 3-4, *Peshov and Ristovski)* and started serving the prison sentence. In 2025 the proceedings against *Ristovski* were stayed under the Amnesty Act concerning the events of 27 April 2017.

11. On 27 August 2020 the house arrest against *Jovanov* was replaced with a prohibition to leave his place of residence, obligation to report weekly to the court, temporary seizure of his passport, prohibition to be issued a new passport and prohibition to cross the State borders with an identity card (§ 6, *Jovanov).* He was subsequently acquitted.
12. *Rashkovski* was released on bail on 2 February 2022 (§ 8, *Rashkovski and Stanchev*), while *Stanchev* was released on 29 August 2022 subject to restrictive measures including the confiscation of his passport and a ban on being issued a new one ((§ 8, *Rashkovski and Stanchev*). The criminal proceedings against the applicants are still pending.
13. Therefore, no applicant is currently held under detention on remand. The violations have therefore been brought to an end.

B. JUST SATISFATION

14. At the outset, the authorities indicate that in *Vasilkoski* the Court considered that its judgment constituted sufficient reparation as to the non-pecuniary damage sustained (§70, *Vasilkoski*). Furthermore, the Court awarded non-pecuniary damage to the applicants in following cases: *Ramkovski*, *Sejdiji, Docevska – Bozhinovska, Vasilevski, Janakieski, Peshov and Ristovski*, Jovanov and *Rashkovski and Stanchev* (only with respect to Rashkovski).

15. The amounts of just satisfaction awarded by the Court were disbursed to the applicants within the time-limits set out by the Court. The payment of the awarded just satisfaction to *Rashkovski* is currently underway.

III GENERAL MEASURES

16. The authorities ensured that appropriate measures have been taken to prevent similar violations of the right to liberty as set out below[1].

A. Assessment of pre-trial detention situation in North Macedonia

17. On 15 December 2023, seminar for the presentation of the assessment of pre-trial detention situation in North Macedonia[2], was organised in Skopje and funded by the Council of Europe. The assessment has been developed by the consultant from the non-governmental organisation Coalition All for Fair Trial, supported by the Council of Europe, in cooperation with the Academy for Judges and Public Prosecutors of North Macedonia. Participants of the seminar

[1] For the measures in the period up to mid-2017, see the Action Plan of 23 June 2017, DH-DD(2017)741 .
[2] Available at: https://jpacademy.gov.mk/wp-content/uploads/filr/8072/(web)%20primena.merka.pritvor.istrazuvanje.pdf

that followed the presentation included judges, prosecutors, the Government Agent, lawyers from the European Court's Registry and the Execution Department as well as experts.

B. Manual on the application of pre-trial detention in the light of Article 5 of the European Convention on Human Rights

18. During the mission of the Department for the Execution of Judgments to Skopje in November 2024, a meeting took place with the then newly appointed Director of the Academy of Judges and Public Prosecutors who explained that a working group had been established to draft a manual to help prosecutors and the judiciary apply pre-trial detention measures in line with the European Convention.
19. The working group established was composed of judges, prosecutors and experts. During the drafting process, they consulted the Department for the Execution of Judgments. The authorities would like to express their gratitude to the Department and the Council of Europe in general for their valuable help during the execution process.
20. On 10 September 2026, the manual on the application of pre-trial detention in the light of Article 5 of the European Convention on Human Rights was launched. The event brought together the Minister of Justice, the State Public Prosecutor, the Director of the Academy for Judges and Prosecutors, the Presidents of the Supreme Court and the Constitutional Court, judges and prosecutors from across the country, members of the Judicial Council and the Council of Public Prosecutors, the Government Agent before the European Court, as well as representatives of diplomatic missions in North Macedonia. The manual It has been published in 400 copies and is also available online[3]. It provides practical and expert support to judges and public prosecutors regarding the application of detention, by systematizing the relevant domestic and European frameworks and highlighting key standards and principles derived from the case law of the European Court. During the event, the authors expressed their confidence that the results of their dedicated work and the content of the Handbook will prove practically useful in the daily operations of judges and public prosecutors, contributing to a consistent and well-reasoned application of detention, in accordance with domestic legislation and European standards for the protection of human rights.

C. Trainings and awareness-raising measures

21. A five-day training on Article 5 of the Convention was organized from 29 January to 2 February 2018 within the project "Increasing judicial capacity to

[3] at: https://jpacademy.gov.mk/wp-content/uploads/filr/10402/PRIRACHNIK%20ZA%20MERKA%20PRITVOR_MARCH%202026_SkolaSans%20v.1.pdf

safeguard human rights and combat ill-treatment and impunity", as part of the Horizontal facility for Western Balkans and Turkey. The training was attended by the trainers of the Academy for Training of Judges and Public Prosecutors. Comprehensive training materials were developed, translated together with relevant case studies and distributed to the participants during the training. Furthermore, in May 2018, within the same project a 'Right to liberty and security – a training manual on Article 5 of the European Convention on Human Rights' was prepared in Macedonian, published and disseminated.

22. Furthermore, on 1-2 March 2018 the Academy together with the Centre for legal research and analysis organized a two-day training about 'Introduction to the practice of the European Court of Human Rights', which included an overview of Article 5 and its importance. The training was attended by court associates of the Bitola Appellate district.
23. On 2-3 April 2018, within the framework of the Horizontal Facility for Western Balkan and Turkey a training was organized by the Academy focusing on 'The right to liberty and security (Article 5 of the ECHR)'. On 12 June 2019 the Academy organized another training focusing on Article 5 of the Convention. The trainings was attended by criminal judges, public prosecutors and court associates from all appellate districts.
24. In November 2020 the Academy, in cooperation with the OSCE Mission Skopje organized three online training sessions for trainers on the European standards of criminal proceedings in line with Article 5 and 6 of the Convention. The training sessions were attended by public prosecutors and criminal judges, lecturers and mentors of the Academy, from all appellate districts.
25. Furthermore, on 6 December 2021, upon authorities' request, a seminar on 'Lawfulness of pre-trail detention and securing procedural safeguards for detainees' was co-organized by the Execution Department, the Human Rights National Implementation Division (DGI) and the Academy for Training of Judges and Public Prosecutors of North Macedonia. The seminar focused on Article 5 of the European Convention covering issues relevant for the present group of cases. The event gathered around 20 judges and public prosecutors from North Macedonia and was aimed at aligning their practice with the Convention requirements and the Court's standards expressed in the judgments of this group.
26. On 5 October 2022 the Academy organised an online training on detention as a measure of securing presence in the light of the Convention and the Court's practice. The training was attended by criminal judges and court associates, public prosecutors and public prosecution associates from all appellate districts.
27. The OSCE Mission in cooperation the Academy with prepared Training curricula on execution of judgments of the European Court of Human Rights, specifically designed for the current and future judges and public prosecutors attending training at the Academy. Besides the emphasis on the process of

execution of the judgments as an obligation from the Convention, the Curriculum includes the importance of the Court's judgments in this group and the importance of their execution. The curriculum was published in February 2023.

28. In May, June, October and December 2023 the Academy organized trainings on Article 5 - detention and other measures for securing persons in criminal proceedings for the criminal judges, public prosecutors and court associates from the appellate districts of Bitola, Shtip, Skopje and Gostivar, respectively.
29. On 10 May 2024, a workshop on best practices regarding the execution of the European Court's judgments in the field of the right to liberty and security of persons was co-organised with the Academy for Judges and Prosecutors of North Macedonia and the Transversal Challenges and Multilateral Projects Division of the Council of Europe. The workshop was organised as a follow up to the Reykjavík Declaration adopted at the 4th Summit of Heads of State and Government of the Council of Europe (16-17 May 2023) affirming the need to scale up co-operation programmes to assist member states in the implementation of the European Court's judgments, which may involve, as appropriate, states facing the same or similar issues in implementation. The event brought together consultants from Croatia (a judge from the High Criminal Court in Zagreb, and Deputy County and Municipal State Attorneys seconded to the State Attorney General's Office) who shared with their North Macedonian colleagues the best practices adopted in Croatia with respect to Article 5 §§ 3 and 4 of the Convention, which led to the closure of a similar group of cases against Croatia (Krnjak group). Participants of the workshop also included judges of lower and higher courts, public prosecutors, and the Government Agent.

D. Publication and dissemination measures

30. The authorities provided publication of all Court's judgments in the cases at hand in order to make sure that the domestic judges are aware of and comply with the findings of the Court's in the cases at hand. The Court's judgments have, in particular, been published in Macedonian and posted on the website of the Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights (www.biroescp.gov.mk), making them available to the public.
31. With a view to facilitating dissemination of the judgments and making it accessible to the legal professionals in North Macedonia, the Office of the Government Agent prepared analyses of the Court's judgments highlighting its most important findings. The Government Agent ensured that the above-mentioned analyses and the Court's judgments were transmitted to all relevant judicial authorities and other competent bodies (including, but not limited to, the

Constitutional Court, the Supreme Court, appellate courts, Skopje Court of First Instance, the Higher Administrative Court, the Administrative Court, the State Judicial Council, the State Public Prosecutor's Office, the Higher Public Prosecutors' Offices, the State Public Prosecutor's office for Organised Crime and Corruption, the State Public Prosecutors' Council, the State Association of Public Prosecutors, the Public Attorney's Office, the Ombudsman's Office, the Academy for Training of Judges and Prosecutors, the State Bar Association, the State Association of Judges).

IV CONCLUSIONS

32. Concerning the case of *Miladinov and Others* it is recalled that the Committee of Ministers adopted a Final Resolution CM/ResDH(2018)312 closing the examination of this case as regards the individual measures.
33. The authorities consider the individual measures taken have ensured that the violations were brought to an end and that the applicants were redressed for the damage sustained.
34. The Government invites the Committee of Ministers to close the examination of the remaining repetitive cases of this group as regards the individual measures, except in the case of *Rashkovski and Stanchev*, where the payment of the awarded just satisfaction is underway. The general measures regarding the all the aspects of this group concerning Article 5 §§ 3 and 4 of the Convention will be implemented within the framework of the leading *Vasilkoski* case.
35. The authorities will inform the Committee of Ministers of the progress in adoption and implementation of the general measures.