



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

FIFTH SECTION

DECISION

Application no. 34016/17
Jovan TRAJKOVSKI against North Macedonia
and 10 other applications
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 11 March 2021 as a Committee composed of:

Ganna Yudkivska, *President*,

Ivana Jelić,

Arnfinn Bårdsen, *judges*,

and Liv Tigerstedt, *Deputy Section Registrar*,

Having regard to the above applications lodged on the various dates indicated in the appended table,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants were represented by Mr Dime Gjorchevski, a lawyer practising in Skopje.

The applicants' complaint under Article 1 of Protocol No. 1 to the Convention concerning the payment of a standing heating charge for the apartments that they own and/or live in, which were disconnected (or have never been connected) from the district heating system, was communicated to the Government of North Macedonia ("the Government").

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against North Macedonia in respect of the facts giving rise to these applications, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts 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 these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, 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 cases.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

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 applications.

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

For these reasons, the Court, unanimously,

Decides to join the applications;

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

Done in English and notified in writing on 1 April 2021.

Liv Tigerstedt
Deputy Registrar

Ganna Yudkivska
President

APPENDIX

List of applications raising complaints under Article 1 of Protocol No. 1 to the Convention
(Interference with the right to property)

No.	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 per applicant (in euros) ¹
1.	34016/17 03/05/2017	Jovan TRAJKOVSKI 1937	09/12/2020	01/10/2020	950
2.	47089/17 29/06/2017	Jovan TRAJKOVSKI 1937	09/12/2020	01/10/2020	950
3.	76183/17 25/10/2017	Jovan TRAJKOVSKI 1937	09/12/2020	01/10/2020	950
4.	76188/17 25/10/2017	Miroslava VLADICHEVSKA 1945	09/12/2020	21/10/2020	950
5.	81268/17 24/11/2017	Nadica SPASOVSKA 1954	09/12/2020	01/12/2020	950
6.	81358/17 27/11/2017	Nadica SPASOVSKA 1954	09/12/2020	01/12/2020	950
7.	82523/17 22/11/2017	Jovan TRAJKOVSKI 1937	09/12/2020	01/10/2020	950
8.	9580/18 02/02/2018	Verica SOTIROVA 1948	09/12/2020	22/10/2020	1,150
9.	15858/18 30/03/2018	Miroslava VLADICHEVSKA 1945	09/12/2020	21/10/2020	950
10.	26219/18 31/05/2018	Nadica SPASOVSKA 1954	09/12/2020	01/12/2020	950
11.	38627/18 06/08/2018	Jovan TRAJKOVSKI 1937	09/12/2020	01/10/2020	950

¹ Plus any tax that may be chargeable to the applicants.