



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

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SECOND SECTION

Application no. 31601/22
KIMITEKS-TRGOVIJA DOOEL UVOZ-IZVOZ STRUGA
against North Macedonia
lodged on 15 June 2022
communicated on 3 July 2026

STATEMENT OF FACTS

The application concerns a temporary freezing order in respect of the applicant company's bank transactions, issued in the context of an ongoing pre-trial investigation concerning allegations of money laundering.

The Skopje Criminal Court of First Instance quashed the order *ex officio* finding that the public prosecutor failed to initiate a criminal investigation against the applicant company within three months. Upon an appeal by the public prosecutor, a three-judge panel of the Skopje Criminal Court of First Instance quashed that decision finding that the three-month statutory limit was only applicable to temporary seizure of assets and not the temporary freezing of bank transactions.

The applicant submitted four requests for quashing the order. All the requests were dismissed with the domestic courts finding that the pre-trial investigation was still ongoing and that the applicant did not substantiate the necessity of lifting the freezing order. The order remained active from 20 November 2019 until at least the moment the application was lodged on 15 June 2022.

Under Article 1 of Protocol No. 1 to the Convention the applicant complains that the continued application of the freezing order amounts to an unlawful and disproportionate interference with its property rights.

QUESTIONS TO THE PARTIES

Has there been an interference with the applicant's peaceful enjoyment of possessions, within the meaning of Article 1 of Protocol No. 1 to the Convention?

If so, was the interference in the public interest, in accordance with the conditions provided for by law and proportionate to the aim pursued within the meaning of Article 1 of Protocol No. 1 to the Convention (see *Forminster Enterprises Limited v. the Czech Republic*, no. 38238/04, §§ 63-78, 9 October 2008; *JGK Statyba Ltd and Guselnikovas v. Lithuania*, no. 3330/12, §§ 130-33, 5 November 2013; *Džinić v. Croatia*, no. 38359/13, §§ 70-82, 17 May 2016 ; and *Karahasanoğlu v. Turkey*, nos. 21392/08 and 2 others, §§ 142-54, 16 March 2021)?