



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

FIRST SECTION

CASE OF ŠARIĆ AND OTHERS v. CROATIA

(Applications nos. 38767/07, 45971/07, 45974/07, 46081/07, 48420/07, 52794/07, 52800/07, 55769/07, 2830/08, 16100/08, 20908/08, 21316/08, 33528/08, 38570/08, 43104/08, 48223/08, 51350/08, 51532/08, 51535/08, 55447/08, 55450/08, 55513/08, 55619/08, 61242/08 and 61267/08)

JUDGMENT

STRASBOURG

18 October 2011

FINAL

18/01/2012

This judgment has become final under Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Šarić and Others v. Croatia,

The European Court of Human Rights (First Section), sitting as a Chamber composed of:

Anatoly Kovler, *President*,

Nina Vajić,

Peer Lorenzen,

Elisabeth Steiner,

Khanlar Hajiyev,

Linos-Alexandre Sicilianos,

Erik Møse, *judges*,

and Søren Nielsen, *Section Registrar*,

Having deliberated in private on 27 September 2011,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in 25 applications (nos. 38767/07, 45971/07, 45974/07, 46081/07, 48420/07, 52794/07, 52800/07, 55769/07, 2830/08, 16100/08, 20908/08, 21316/08, 33528/08, 38570/08, 43104/08, 48223/08, 51350/08, 51532/08, 51535/08, 55447/08, 55450/08, 55513/08, 55619/08, 61242/08 and 61267/08) against the Republic of Croatia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by 25 Croatian nationals (“the applicants”), on the dates listed in Annex I to this judgment.

2. The applicants were all represented by Mr I. Škarpa, an advocate practising in Split. The Croatian Government (“the Government”) were represented by their Agent, Mrs Š. Stažnik.

3. On 9 June, 9 July, 15 and 16 September and 11 December 2008 and 7 October 2009 the President of the First Section decided to give notice of the applications to the Government. It was also decided to rule on the admissibility and merits of the applications at the same time (Article 29 § 1).

THE FACTS**I. THE CIRCUMSTANCES OF THE CASE**

4. The applicants’ personal details are listed in Annex I to this judgment.

5. The applicants were servicemen employed by the Ministry of Defence (*Ministarstvo obrane Republike Hrvatske*). In 1996, 1997 and 1998 the

applicants occasionally participated in demining operations in the newly liberated territories in Croatia.

6. On the basis of the Decision of the Minister of Defence of 18 September 1995 (see “Relevant domestic law”, below), they were entitled to a special daily allowance for such work.

7. Since the allowances had not been paid to them, on 21 May 2002 each applicant brought a separate civil action against the State in the Knin Municipal Court (*Općinski sud u Kninu*), seeking payment of the unpaid allowances.

8. The State responded that their actions were time-barred because the three-year limitation period for employment-related claims had expired.

9. In reply, the applicants argued that on several occasions they had asked their commanding officer why the allowances had not been paid. Their commanding officer had made enquiries of his superior, who had then contacted the General Staff of the Croatian Armed Forces (*Glavni stožer Oružanih snaga Republike Hrvatske*). Eventually, the applicants had been informed through their commanding officer that their claims were not being disputed and that they would be paid once the funds for that purpose had been allocated in the State budget. Relying on that information, the applicants argued that the State had acknowledged the debt and that the running of the statutory limitation period had thus been interrupted.

10. On 12 and 14 December 2005 the Knin Municipal Court ruled in favour of the State and dismissed the applicants’ actions. It held that in accordance with the internal regulations of the Ministry of Defence the only person authorised to acknowledge the debt on behalf of the Ministry before the applicants had brought their actions had been the head of its Central Finance Department and his superiors. Therefore, the repeated declarations of the applicants’ commanding officer to the applicants, after making enquiries of his superiors up to the level of the General Staff of the Croatian Armed Forces, that their claims were not in dispute and that the allowances would be paid once funds had been allocated in the budget for that purpose, had not constituted acknowledgement of the debt capable of interrupting the running of the statutory limitation period.

11. On 3 and 10 April 2006 the Šibenik County Court (*Županijski sud u Šibeniku*) dismissed the applicants’ appeals and upheld the first-instance judgments endorsing the reasons given therein.

12. The applicants’ subsequent constitutional complaints were dismissed by the Constitutional Court (*Ustavni sud Republike Hrvatske*) in the period between 18 September 2006 and 10 April 2008. The Constitutional Court’s decisions were served on the applicants’ representative on the dates indicated in Annex I to this judgment.

II. RELEVANT DOMESTIC LAW

A. The Decision of the Minister of Defence of 18 September 1995

13. Decision of the Minister of Defence on Payment of Special Daily Allowances for Carrying Out Mining and Demining Works (*Odluka o isplataama posebnih dnevnica za vrijeme izvođenja radova na miniranju i deminiranju*, unpublished) of 18 September 1995 reads as follows:

“1. Permanent and reserve members of the Armed Forces of the Republic of Croatia carrying out mining and demining works shall have the right to special daily allowances.

2. Special allowances shall be calculated in the amounts prescribed by the Decision on the Amount of Daily Allowance for Official Journeys and the Amount of Compensation for Users Financed from the State Budget [that is, 123 Croatian kunas (HRK) at the time], and so from the time of departure to [carry out] mining and demining works, according to the following criteria:

(a) the entire daily allowance for every twenty-four hours spent on mining and demining works, including periods of twelve to twenty-four hours [that is, between twelve and twenty-four hours];

(b) half the daily allowance for periods of eight to twelve hours.

3. The lists of persons entitled to special daily allowances, with details, shall be compiled by the commander at independent battalion level or higher, and shall be certified by the commander of the operational zone ... The certified list shall be submitted for payment to the regional finance department on whose territory mining and demining works have been carried out, at the latest on the third day of the month in respect of the preceding month.

4. This Decision shall enter into force on the day of its adoption, and shall be applicable from 1 June 1995.”

B. The Civil Procedure Act

14. The relevant provision of the Civil Procedure Act (*Zakon o parničnom postupku*, Official Gazette of the Socialist Federal Republic of Yugoslavia nos. 4/1977, 36/1977 (corrigendum), 36/1980, 69/1982, 58/1984, 74/1987, 57/1989, 20/1990, 27/1990 and 35/1991, and Official Gazette of the Republic of Croatia nos. 53/1991, 91/1992, 58/1993, 112/1999, 88/2001, 117/2003, 88/2005, 2/2007, 84/2008 and 123/2008) reads as follows:

5.a. Reopening of proceedings following a final judgment of the European Court of Human Rights in Strasbourg finding a violation of a fundamental human right or freedom

Section 428a

“(1) When the European Court of Human Rights has found a violation of a human right or fundamental freedom guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms or additional protocols thereto ratified by the Republic of Croatia, a party may, within thirty days of the judgment of the European Court of Human Rights becoming final, file a petition with the court in the Republic of Croatia which adjudicated in the first instance in the proceedings in which the decision violating the human right or fundamental freedom was rendered, to set aside the decision by which the human right or fundamental freedom was violated.

(2) The proceedings referred to in paragraph 1 of this section shall be conducted by applying, *mutatis mutandis*, the provisions on the reopening of proceedings.

(3) In the reopened proceedings the courts are required to respect the legal opinions expressed in the final judgment of the European Court of Human Rights finding a violation of a fundamental human right or freedom.”

THE LAW

I. JOINDER OF THE APPLICATIONS

15. Given that the twenty-five applications at hand concern similar facts and complaints and raise identical issues under the Convention, the Court decides to join them, pursuant to Rule 42 § 1 of the Rules of the Court.

II. ALLEGED VIOLATION OF ARTICLE 1 OF PROTOCOL NO. 1 TO THE CONVENTION

16. The applicants complained that the refusal of the domestic courts to grant their claims for special daily allowances for demining work infringed their right to peaceful enjoyment of their possessions. They relied on Article 1 of Protocol No. 1 to the Convention, which provides as follows:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in

accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

17. The Government contested that argument.

A. As to the Government’s strike-out request

18. By letter dated 23 May 2011 the Government informed the Court that they proposed to make a unilateral declaration in respect of each applicant with a view to resolving the issue raised by their applications. They further requested the Court to strike out the applications in accordance with Article 37 of the Convention.

19. The declaration in respect of the first applicant provided that, having regard to the judgment of the European Court of Human Rights in the case of *Lelas v. Croatia* (no. 55555/08, 20 May 2010), and given that the present case was, in terms of relevant facts and applicable law, identical to the *Lelas* case, the Government of Croatia:

“(a) acknowledge that in the instant case there has been a violation of the applicant’s right to peaceful enjoyment of his possessions, guaranteed by Article 1 of the Protocol No 1 to the Convention; and

(b) are ready to pay to Mr Milan Šarić, 7,220 euros, to cover the pecuniary damage consisting of the total amount of special daily allowances owed to the applicant as well as the total amount of the accrued statutory default interest, any non-pecuniary damage and costs and expenses of domestic proceedings and proceedings before the European Court of Human Rights, plus any tax that may be chargeable to the applicant.

This sum corresponds to the one sought by the applicant in his just satisfaction claim. It will be converted into Croatian kunas at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the decision by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights to the account indicated by the applicant. In the event of failure to pay this sum within the said three-month period, the Government undertake to pay simple interest on it, from 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.”

20. The declarations in respect of other applicants differed only as regards the sum the Government was prepared to pay. These sums are listed in Annex I to this judgment.

21. In a letter of 15 June 2011 the applicants first argued that the sums proposed in the unilateral declarations did not reflect the statutory default interest, which had continued to run on the capital sum of their unpaid claims, and that, therefore, striking their applications out of the list would deprive them of the possibility to obtain that interest. In addition, a strike out decision would prevent them from having the domestic proceedings reopened because section 428a of the Civil Procedure Act (see paragraph 14

above) allowed civil proceedings to be reopened only on the basis of a judgment and not a decision of the Court. They further explained that only if the domestic proceedings were reopened would they be able to obtain the statutory default interest due on their claims. As an illustration, they submitted that following the Court's judgment in the *Lelas* case (see *Lelas v. Croatia* no. 55555/08, 20 May 2010), the applicant had in the reopened proceedings before the domestic courts obtained compensation that had been, as a result of the accrued statutory default interest, double the capital sum of the special daily allowances owed to him. That being so, the amounts specified in the Government's unilateral declarations could not and did not constitute full compensation for the damage sustained.

22. In their reply of 6 July 2011, the Government first emphasised that in their unilateral declarations they: (a) had expressly acknowledged a violation of Article 1 of Protocol No. 1 to the Convention in the applicants' cases, and (b) had expressed their willingness to pay each applicant a certain sum as a redress for that violation. The proposed sums exactly corresponded to those sought by the applicants in their just satisfaction claims. Therefore, by offering to pay the exact sums requested by the applicants (who were all represented by a qualified advocate) the Government honoured the applicants' financial expectations in the proceedings before the Court. However, in their comments on the Government's unilateral declarations the applicants had, for the first time, expressed completely new and substantially higher financial expectations and stated that only the meeting of those financial expectations would remedy the violation in question. In this connection, the Government first argued that the applicants' new financial expectations were unjustified. However, even if those new expectations were justified, the Government averred that the applicants had had ample opportunities to submit claims for just satisfaction that would reflect those expectations. Yet they apparently had not done so, leaving the Government without any other option but to acknowledge the claims for just satisfaction actually submitted.

23. The Court reiterates that Article 37 of the Convention provides that it may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to one of the conclusions specified under (a), (b) or (c) of paragraph 1 of that Article. Article 37 § 1 (c) enables the Court in particular to strike a case out of its list if:

“for any other reason established by the Court, it is no longer justified to continue the examination of the application”.

24. It further reiterates that in certain circumstances, it may strike out an application under Article 37 § 1(c) on the basis of a unilateral declaration by a respondent Government, even if the applicants wish the examination of the case to be continued.

25. To this end, the Court will examine carefully the declarations in the light of the principles emerging from its case-law, in particular the *Tahsin Acar* judgment (see *Tahsin Acar v. Turkey*, [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI); *WAZA Spółka z o.o. v. Poland* (dec.) no. 11602/02, 26 June 2007, and *Sulwińska v. Poland* (dec.) no. 28953/03, 18 September 2007).

26. The Court takes note of the fact that in their unilateral declarations the Government expressly acknowledged that there had been a violation of Article 1 of Protocol No. 1 to the Convention in each applicant's case and that the amounts the Government are prepared to pay are at least equivalent to those requested by the applicants in their just satisfaction claims before the Court (see Annex I to this judgment).

27. However, the Court wishes to clarify that in its judgment in the *Lelas* case it awarded Mr Lelas non-pecuniary damage only. It further held that, as regards pecuniary damage, given the nature of the applicant's complaint under Article 1 of Protocol No. 1 to the Convention and the reasons for which it had found a violation of that Article, the most appropriate way of repairing the consequences of that violation was to reopen the proceedings complained of (see *Lelas*, cited above, § 86). It further notes that section 428a of the Civil Procedure Act (see paragraph 14 above) provides that civil proceedings may be reopened on the basis of a judgment of the Court finding a violation of the Convention. It follows, by converse implication, that they cannot be reopened on the basis of a decision of the Court, such as, for example, a decision to strike the application out of its list of cases (see *Hakimi v. Belgium*, no. 665/08, § 21, 29 June 2010).

28. In this respect the Court notes that, following the Court's judgment, Mr Lelas was able to obtain the reopening of his case before the national courts whereby he succeeded with his claim concerning pecuniary damage and was awarded the capital sum claimed and the statutory interest due until the date of payment. However, without the possibility of having their cases reopened before the national courts the applicants in the present case would not be able to seek pecuniary damage due to them by the Croatian Government. Therefore, their position would significantly differ from that of Mr Lelas.

29. In these circumstances, the Court finds that the Government have failed to establish a sufficient basis for finding that respect for human rights as defined in the Convention and its Protocols does not require the Court to continue its examination of the case (see, for example, *Kessler v. Switzerland*, no. 10577/04, § 24, 26 July 2007, and *Pirali Orujov v. Azerbaijan*, no. 8460/07, § 31, 3 February 2011).

30. The Court therefore refuses the Government's strike-out request and will accordingly continue the examination of the admissibility and merits of the applicants' complaints under Article 1 of Protocol No. 1 to the Convention (see *Hakimi*, cited above, §§ 26-30).

B. Admissibility

31. The Government disputed the admissibility of these complaints on two grounds, namely, that they were incompatible *ratione materiae* with the provisions of the Convention and that the applicant had failed to exhaust domestic remedies. In so doing they raised the same arguments as in the *Lelas* case (cited above, §§ 40 and 45).

32. In reply, the applicants all relied on the same arguments as those advanced by the applicant in the *Lelas* case (cited above, §§ 41 and 46).

33. The Court reiterates that in its judgment in the *Lelas* case it has dismissed the same inadmissibility objections raised by the Government (see *Lelas*, cited above, §§ 42-44 and 47-53), and sees no reason to hold otherwise in the present cases.

34. It follows that the Government's objections in the instant cases based on incompatibility *ratione materiae* and the applicants' alleged failure to exhaust domestic remedies must likewise be dismissed.

35. The Court further notes that these complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention. It also notes that they are not inadmissible on any other grounds. They must therefore be declared admissible.

C. Merits

36. The Court has already found a violation of the right to peaceful enjoyment of possessions under Article 1 of Protocol No. 1 to the Convention in a case raising a similar issue to the one in the present cases (see *Lelas*, cited above, §§ 71-79).

37. Having examined all the material submitted to it, the Court considers that the Government have not put forward any fact or argument capable of persuading it to reach a different conclusion in the present cases.

There has accordingly been a breach of Article 1 of Protocol No. 1 to the Convention.

III. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

38. The applicants also complained that the aforementioned civil proceedings had been unfair, alleging that the domestic courts had erred in the application of the relevant provisions of substantive law and that their decisions had not been duly reasoned. They relied on Article 6 § 1 of the Convention, the relevant part of which reads:

“In the determination of his civil rights and obligations ... everyone is entitled to a fair ... hearing ...”

39. The Court notes that the applicants complained about the outcome of their proceedings, which, unless it was arbitrary, the Court is unable to examine under Article 6 § 1 of the Convention. The applicants did not complain, and there is no evidence to suggest, that the domestic courts lacked impartiality or that the proceedings were otherwise unfair. In the light of all the material in its possession, the Court considers that in the present case the applicants were able to submit their arguments before courts which offered the guarantees set forth in Article 6 § 1 of the Convention and which addressed those arguments in decisions that were duly reasoned and not arbitrary.

40. It follows that these complaints are inadmissible under Article 35 § 3 (a) of the Convention as manifestly ill-founded and must be rejected pursuant to Article 35 § 4 thereof.

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

41. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

A. Damage

42. The applicants claimed sums ranging between 400 and 6,000 euros (EUR) in respect of pecuniary and non-pecuniary damage, specified in Annex I to this judgment.

43. The Government contested these claims.

44. The Court reiterates that a judgment in which it finds a breach imposes on the respondent State a legal obligation to put an end to the breach and make reparation for its consequences. If the national law does not allow – or allows only partial – reparation to be made, Article 41 empowers the Court to afford the injured party such satisfaction as appears to it to be appropriate (see *Iatridis v. Greece* (just satisfaction) [GC], no. 31107/96, §§ 32-33, ECHR 2000-XI). In this connection the Court notes that each applicant may now file a petition for the reopening of his civil proceedings, under section 428a of the Civil Procedure Act (see paragraph 14 above), in respect of which the Court has found a violation of the Convention. Given the nature of the applicants' complaints under Article 1 of Protocol No. 1 to the Convention and the reasons for which it has found a violation of that Article, the Court considers that in the present case the most appropriate way of repairing the consequences of that violation is to reopen the proceedings complained of. As it follows that the

domestic law allows such reparation to be made, the Court considers that there is no call to award the applicants any sum in respect of pecuniary damage (see *Lelas*, cited above, § 86).

45. On the other hand, the Court finds that the applicants must have sustained non-pecuniary damage. It therefore awards each applicant the amount specified in Annex II to this judgment, that is, the amount sought by him under this head (see Annex I to this judgment), plus any tax that may be chargeable on that amount.

B. Costs and expenses

46. The applicants also claimed sums ranging between EUR 1,300 and EUR 2,600 for the costs and expenses incurred before the domestic courts, specified in Annex I to this judgment. They also claimed reimbursement of costs and expenses incurred before the Court, without specifying their amount.

47. The Government contested these claims.

48. According to the Court's case-law, an applicant is entitled to reimbursement of his costs and expenses only in so far as it has been shown that these have been actually and necessarily incurred and are reasonable as to quantum.

49. In the present case, regard being had to the information in its possession and the above criteria, the Court considers it reasonable to award each applicant the sum of EUR 820 for costs and expenses in the domestic proceedings, plus any tax that may be chargeable to them on that amount.

50. As regards the applicants' claim for costs and expenses incurred before it, the Court notes that pursuant to Rule 60 § 1 of the Rules of Court an applicant who wishes to obtain an award of just satisfaction under Article 41 of the Convention in the event of the Court finding a violation of his or her Convention rights must make a specific claim to that effect. Since in the present case the applicants did not make specific claims for costs and expenses before the Court, they failed to comply with the above requirement set out in Rule 60 § 1 of the Rules of Court. The Court therefore makes no award in respect of that part of their claims (Rule 60 § 3).

C. Default interest

51. The Court considers it appropriate that the default interest should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

FOR THESE REASONS, THE COURT UNANIMOUSLY

1. *Decides* to join the applications;
2. *Declares* the complaints concerning the right to peaceful enjoyment of possessions admissible and the remainder of the applications inadmissible;
3. *Holds* that there has been a violation of Article 1 of Protocol No. 1 to the Convention;
4. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into Croatian kunas at the rate applicable at the date of settlement:
 - (i) to each applicant, the amount specified in Annex II to the present judgment, plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) to each applicant, EUR 820 (eight hundred and twenty euros), plus any tax that may be chargeable to them, in respect of costs and expenses;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;
5. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 18 October 2011, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Søren Nielsen
Registrar

Anatoly Kovler
President

Annex I

No.	Application no.	Applicant's name and place of residence	Date of service of the Constitutional Court's decision	Lodged on	Damages sought	The total amount (damages and costs) sought in the JS claim	The amount proposed by the Government in the unilateral declaration
					Costs sought		
1.	38767/07	Mr Milan Šarić, Split	24 January 2007	24 July 2007	5,000	7,200	7,220
					2,200		
2.	45971/07	Mr Nebojša Vukas, Sinj	3 April 2007	1 October 2007	5,000	7,400	7,420
					2,400		
3.	45974/07	Mr Žan Marasović, Split	23 March 2007	20 September 2007	5,000	7,120	7,140
					2,120		
4.	46081/07	Mr Davor Talaja, Otok	16 March 2007	13 September 2007	3,000	5,400	5,420
					2,400		
5.	48420/07	Mr Željko Čondić, Split	16 March 2007	14 September 2007	1,000	2,460	2,480
					1,460		
6.	52794/07	Mr Josip Maleš, Sinj	22 October 2007	9 November 2007	5,000	7,200	7,200
					2,200		
7.	52800/07	Mr Marijan Bešlić, Split	22 October 2007	9 November 2007	3,200	5,800	6,645
					2,600		
8.	55769/07	Mr Ivan Tokić, Split	12 October 2007	28 November 2007	6,000	8,400	9,260
					2,400		
9.	2830/08	Mr Mate Bebić, Muć	29 October 2007	7 December 2007	1,600	4,200	4,213.50
					2,600		

10.	16100/08	Mr Milenko Vučak, Split	8 November 2007	19 February 2008	3,500	5,800	5,813.50
					2,300		
11.	20908/08	Mr Dragiša Debevc, Split	12 October 2007	11 April 2008	6,000	8,400	8,413.50
					2,400		
12.	21316/08	Mr Ivan Svalina, Crivac	28 February 2008	16 April 2008	2,000	4,500	5,260
					2,500		
13.	33528/08	Mr Ivan Bitunjac, Otok	12 December 2007	12 June 2008	5,000	7,400	7,413.50
					2,400		
14.	38570/08	Mr Marko Botica, Split	2 November 2007	2 May 2008	2,400	5,000	5,760
					2,600		
15.	43104/08	Mr Jure Piplica, Krivodol	18 February 2008	18 August 2008	1,000	3,000	3,013.50
					2,000		
16.	48223/08	Mr Nikša Matas, Split	20 March 2008	18 September 2008	600	2,100	2,113.50
					1,500		
17.	51350/08	Mr Petar Šipić, Solin	31 March 2008	29 September 2008	4,300	6,700	6,713.50
					2,400		
18.	51532/08	Mr Željko Mlikota, Split	31 March 2008	29 September 2008	3,800	5,900	5,913.50
					2,100		
19.	51535/08	Mr Mirko Tešija, Lečevica	10 April 2008	1 October 2008	4,400	6,700	6,713.50
					2,300		
20.	55447/08	Mr Mirko Bilobrk, Split	14 April 2008	14 October 2008	3,200	5,600	5,613.50
					2,400		

21.	55450/08	Mr Slavko Milić, Split	16 April 2008	16 October 2008	400	1,700	1,713.50
					1,300		
22.	55513/08	Mr Ivica Runje, Sinj	17 April 2008	17 October 2008	4,400	7,000	7,013.50
					2,600		
23.	55619/08	Mr Marijo Svalina, Split	9 May 2008	6 November 2008	3,700	6,100	6,113.50
					2,400		
24.	61242/08	Mr Ivica Šarac, Split	13 May 2008	13 November 2008	4,000	6,400	7,160
					2,400		
25.	61267/08	Mr Srećko Tešija, Lećevica	28 May 2008	28 November 2008	2,000	4,000	4,760
					2,000		

Annex II

No.	Application no.	Applicant's name	The amount awarded by the Court in respect of non-pecuniary damage (in euros)
1.	38767/07	Mr Milan Šarić	5,000
2.	45971/07	Mr Nebojša Vukas	5,000
3.	45974/07	Mr Žan Marasović	5,000
4.	46081/07	Mr Davor Talaja	3,000
5.	48420/07	Mr Željko Čondić	1,000
6.	52794/07	Mr Josip Maleš	5,000
7.	52800/07	Mr Marijan Bešlić	3,200
8.	55769/07	Mr Ivan Tokić	6,000
9.	2830/08	Mr Mate Bebić	1,600

10.	16100/08	Mr Milenko Vučak	3,500
11.	20908/08	Mr Dragiša Debevc	6,000
12.	21316/08	Mr Ivan Svalina	2,000
13.	33528/08	Mr Ivan Bitunjac	5,000
14.	38570/08	Mr Marko Botica	2,400
15.	43104/08	Mr Jure Piplica	1,000
16.	48223/08	Mr Nikša Matas	600
17.	51350/08	Mr Petar Šipić	4,300
18.	51532/08	Mr Željko Mlikota	3,800
19.	51535/08	Mr Mirko Tešija	4,400
20.	55447/08	Mr Mirko Bilobrk	3,200

21.	55450/08	Mr Slavko Milić	400
22.	55513/08	Mr Ivica Runje	4,400
23.	55619/08	Mr Marijo Svalina	3,700
24.	61242/08	Mr Ivica Šarac	4,000
25.	61267/08	Mr Srećko Tešija,	2,000