



Grand Chamber hearing concerning “old” foreign currency savings in Serbia and Slovenia

The European Court of Human Rights is holding a Grand Chamber¹ hearing today **Wednesday 10 July 2013 at 9.15 a.m.** in the case of **Ališić and Others v. Bosnia and Herzegovina, Croatia, Serbia, Slovenia and “The former Yugoslav Republic of Macedonia”** (Application no. 60642/08)

The case concerns the applicants’ inability to recover “old” foreign-currency savings – deposited with two banks in what is now Bosnia and Herzegovina – following the dissolution of the former Socialist Federal Republic of Yugoslavia (SFRY).

The hearing will be broadcast from 2.30 p.m. on the Court’s Internet site (www.echr.coe.int). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The applicants are three nationals of Bosnia and Herzegovina who live in Germany. One of them is also a German national.

They complain that they are unable to withdraw foreign-currency savings which they deposited before the dissolution of the Socialist Federal Republic of Yugoslavia with two banks in what is now Bosnia and Herzegovina: the Sarajevo branch of Ljubljanska Banka Ljubljana (a Slovenian-based bank) and the Tuzla branch of Investbanka (a Serbian-based bank). Negotiations are still pending between the successor States to settle matters such as their respective liability to pay investors the sums deposited and the related modalities/conditions.

The applicants complain in particular about the delay in reaching a settlement and that they do not have at their disposal an effective remedy for their complaints in respect of any of the States concerned. They rely on Article 1 of Protocol No. 1 (protection of property), Article 13 (right to an effective remedy) and Article 14 (prohibition of discrimination) of the European Convention on Human Rights.

In its [Chamber judgment](#) of 6 November 2012, the Court held: unanimously, that there had been a violation of Article 1 of Protocol No. 1 and a violation of Article 13 by Serbia with regard to one of the applicants, but no violation of Article 1 of Protocol No. 1 and no violation of Article 13 by the other States; and, by a majority (six votes to one), that there had been a violation of Article 1 of Protocol No. 1 and a violation of Article 13 by Slovenia with regard to two of the applicants.

The Court considered it appropriate to apply the pilot-judgment procedure, as there were more than 1,650 similar applications pending before it, involving more than 8,000 applicants. The Court concluded that Slovenia and Serbia should undertake all necessary

1 Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-member Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

measures within six months from the date on which the judgment became final in order to allow the applicants and all others in their position to be paid back their 8,000 applicants. The Court concluded that Slovenia and Serbia should undertake all necessary measures within six months from the date on which the judgment became final in order to allow the applicants and all others in their position to be paid back their “old” foreign currency savings under the same conditions as those who had such savings in domestic branches of Slovenian and Serbian banks. The Court also adjourned the examination of all similar cases during this period.

Procedure

The application was lodged with the European Court of Human Rights on 30 July 2005. A Chamber judgment was delivered on 6 November 2012 (see above). The case was referred to the Grand Chamber at the request of the Governments of Serbia and Slovenia.²

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Dean **Spielmann** (Luxembourg), *President*,
 Josep **Casadevall** (Andorra),
 Guido **Raimondi** (Italy),
 Ineta **Ziemele** (Latvia),
 Mark **Villiger** (Liechtenstein),
 Isabelle **Berro-Lefèvre** (Monaco),
 David Thór **Björgvinsson** (Iceland)
 Danutė **Jočienė** (Lithuania),
 Dragoljub **Popović** (Serbia),
 Päivi **Hirvelä** (Finland),
 Mirjana **Lazarova Trajkovska** (“The former Yugoslav Republic of Macedonia”),
 Ganna **Yudkivska** (Ukraine),
 Angelika **Nußberger** (Germany),
 Linos-Alexandre **Sicilianos** (Greece),
 André **Potocki** (France),
 Faris **Vehabović** (Bosnia and Herzegovina),
 Ksenija **Turković** (Croatia), *judges*,
 Luis **López Guerra** (Spain),
 Krzysztof **Wojtyczek** (Poland),
 Dmitry **Dedov** (Russia), *substitute judges*,

and also Michael **O’Boyle**, *Deputy Registrar*.

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Representatives of the parties

Government of Bosnia and Herzegovina

Monika **Mijić**, *Agent*,
Belma **Skalonjić**, Elma Veledar **Arifagić**, Zenit **Kelić**, Tihomir **Ćurak**, Samir **Bakić**,
Ezher **Kubat**, Velma **Tufek**, Nataša **Trossat** and Muhamed **Mahmutović**, *Advisers*;

Government of Croatia

Štefica **Stažnik**, *Agent*,
Nikolina **Katić**, Andreja **Metelko-Zgombić**, Matea **Bašić**, Jasna **Vlašić**, Branka
Grabovac and Vesna **Zvonar**, *Advisers*;

Government of Serbia

Slavoljub **Carić**, *Agent*,
Vanja **Rodić**, Dina **Dobrković**, Nenad **Petković**, Bojan **Milisavljević**, Branko **Kurbalija**
and Stanimirka **Đurđević**, *Advisers*;

Government of Slovenia

Nataša **Pintar-Gosenca**, *Agent*,
Claudia **Annacker**, *Counsel*,
Ann **Nee**, Metka **Prevc**, Rudolf **Gabrovec**, Ana **Polak-Petrič** and Andreas **Kulick**,
Advisers;

Government of "The former Yugoslav Republic of Macedonia"

Kostadin **Bogdanov**, *Agent*,
Veronika **Stanojevska**, *Adviser*;

Applicants

Beško **Mujčin** and Ergün **Eser**, *Counsel*,
Armin **Mustafić**, *Adviser*.

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe here: www.echr.coe.int/RSS/en or follow us on Twieter [@ECHR_press](https://twitter.com/ECHR_press).

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.