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

SECOND SECTION

DECISION

Application no. 59893/11
Stojan AGATONOVIĆ against Serbia
and 101 other applications
(see list appended)

The European Court of Human Rights (Second Section), sitting on 17 December 2013 as a Committee composed of:

Paulo Pinto de Albuquerque, *President*,
Dragoljub Popović,
Helen Keller, *judges*,
and Stanley Naismith, *Section Registrar*.

Having regard to the above applications lodged on 12 September 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

A list of the applicants is set out in the appendix. They were all represented by the same attorney, Mr M. Moskovljević, a lawyer practising in Kruševac.

The Serbian Government ("the Government") were represented by their Agent, Mr S. Carić.

All applicants are former employees of the same socially-owned company - *Građevinsko preduzeće Jastrebac* - from Kruševac (hereinafter: the debtor). In the course of insolvency proceedings against the debtor on 11 July 2003 the Kraljevo Commercial Court adopted decisions (domestic case no. St.2505/02) according to which the debtor was ordered to pay the applicants certain sums. The applicants complained about the respondent State's failure to enforce the said decisions rendered in their favour.

After unsuccessful friendly settlement negotiations, by letter dated 9 September 2013 the Government informed the Court that they proposed to

make a declaration with a view to resolving the issues raised by the application.

The declaration provided as follows:

> "I declare that the Government of the Republic of Serbia is ready to accept that there had been a violation of the applicants' right under Article 6 paragraph 1 of the Convention and Article 1 of Protocol No. 1 to the Convention.
>
> I further declare that within three-month period the Government offer to pay to the applicants listed below, the sums awarded in the domestic decisions under consideration in this case, less any amounts which may have already been paid on the basis of the said decisions.
>
> These sums shall be payable within three months from the date of delivery of the decision of the Court. This payment will constitute the final resolution of the case.
>
> The Government regret the occurrence of the actions which have led to the bringing of the present applications."

On 15 October 2013, the Court received a letter from the applicants' representative informing the Court that they had agreed to the terms of the Government's declaration.

THE LAW

The Court considers that, in accordance with Rule 42 § 1 of the Rules of Court, the applications should be joined, given their similar factual and legal background.

The Court finds that following the applicants' express agreement to the terms of the declaration made by the Government the case should be treated as a friendly settlement between the parties.

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 its Protocols and finds no reasons to justify a continued examination of the applications. In view of the above, it is appropriate to strike the case 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.

Stanley Naismith
Registrar

Paulo Pinto de Albuquerque
President

APPENDIX

No	Application No	Applicant Date of birth Place of residence Nationality
1.	59893/11	**Stojan AGATONOVIĆ** 03/03/1956 selo Žiljci, Serbian
2.	25768/12	**Radomir PAVLOVIĆ** 13/04/1949 selo Čitluk Serbian
3.	25786/12	**Živorad MILOJEVIĆ** 07/06/1957 selo Čitluk Serbian
4.	25797/12	**Milutin PAVLOVIĆ** 20/03/1954 selo Šanac Serbian
5.	25807/12	**Nikola OJDANIĆ** 24/09/1972 Kruševac Serbian
6.	25809/12	**Zorica PETRONIJEVIĆ** 26/08/1948 Kruševac Serbian
7.	25810/12	**Nikolaj NIKOLOV** 01/04/1945 Kruševac Serbian
8.	25811/12	**Nada NIKOLIĆ** 19/01/1947 Kruševac

No	Application No	Applicant Date of birth Place of residence Nationality
		Serbian
9.	25812/12	**Miroslav POPADIĆ** 26/05/1956 selo Šavrane Serbian
10.	25813/12	**Milan PEŠIĆ** 23/06/1965 Kruševac Serbian
11.	25814/12	**Slaviša JEVGENIJEVIĆ** 05/06/1974 selo Rosica Serbian
12.	25815/12	**Miloš BLAGOJEVIĆ** 07/02/1951 selo Štitare Serbian
13.	25816/12	**Branislav BAJIĆ** 26/10/1936 Kruševac Serbian
14.	25817/12	**Slavko VOJINOVIĆ** 18/05/1946 Kruševac Serbian
15.	25818/12	**Boris VIDIĆ** 23/02/1944 Kruševac Serbian
16.	25820/12	**Jugoslav MATIĆ** 28/01/1954 selo Šanac Serbian
17.	25821/12	**Mirko VASIĆ** 23/10/1944

No	Application No	Applicant Date of birth Place of residence Nationality
		Kruševac Serbian
18.	25822/12	**Milivoje BUJIĆ** 17/12/1960 Krusevac Serbian
19.	25823/12	**Milica BOŠKOVIĆ** 10/07/1957 Kruševac Serbian
20.	25830/12	**Ljubiša BOŠKOVIĆ** 20/08/1960 Prnjavor Serbian
21.	25839/12	**Ružica BOGDANOVIĆ** 01/02/1947 Kruševac Serbian
22.	25848/12	**Nadica BOGDANOVIĆ** 23/07/1954 Kruševac Serbian
23.	25851/12	**Veroljub VUČKOVIĆ** 25/03/1966 selo Prepeljevac Serbian
24.	25857/12	**Ankica ĐOKOVIĆ** 14/09/1956 Kruševac Serbian
25.	25860/12	**Slobodan DUBOVAC** 02/04/1940 Kruševac Serbian
26.	25872/12	**Miroslav DIŠLJENKOVIĆ** 01/01/1961

No	Application No	Applicant Date of birth Place of residence Nationality
		Kruševac Serbian
27.	25878/12	**Minko DINOV** 24/09/1970 selo Pepeljevac Serbian
28.	25880/12	**Ranko DIMITRIJEVIĆ** 27/03/1960 Kruševac Serbian
29.	25883/12	**Živorad ĐORĐEVIĆ** 09/05/1950 selo Dedina Serbian
30.	25904/12	**Slobodan ĐORĐEVIĆ** 14/04/1945 selo Zabare Serbian
31.	25908/12	**Milorad ĐORĐEVIĆ** 30/09/1944 selo Lomnica Serbian
32.	25919/12	**Dragan ĐORĐEVIĆ** 28/10/1955 selo Čitluk Serbian
33.	25924/12	**Miroslav NIKOLIĆ** 21/06/1952 Kruševac Serbian
34.	25986/12	**Slobodan STOJANOVIĆ** 02/11/1948 selo Žabare Serbian
35.	25987/12	**Simeon STOJANOVIĆ** 15/02/1946

No	Application No	Applicant Date of birth Place of residence Nationality
		selo V. Kruševica Serbian
36.	25988/12	**Radoslav DINIĆ** 21/04/1947 selo Dobromir Serbian
37.	25989/12	**Milomir ILIĆ** 17/11/1953 Kruševac Serbian
38.	25991/12	**Slobodan ILIĆ** 28/10/1949 selo Čitluk Serbian
39.	25992/12	**Zoran NEŠIĆ** 20/08/1966 selo Konjuh Serbian
40.	25993/12	**Mirjana MARIJANOVIĆ** 08/09/1964 Kruševac Serbian
41.	26002/12	**Ranđel MARINKOVIĆ** 05/11/1944 selo V. Kruševica Serbian
42.	26005/12	**Božidar DAMNJANOVIĆ** 10/10/1941 Kruševac Serbian
43.	26008/12	**Veljko NIKOLIĆ** 26/04/1962 Kruševac Serbian
44.	26010/12	**Dragić ĐORĐEVIĆ** 15/09/1955

No	Application No	Applicant Date of birth Place of residence Nationality
		selo Lepenac Serbian
45.	26013/12	**Jasmina JANKOVIĆ** 31/12/1975 selo Rudjinci Serbian
46.	26014/12	**Milan POPOVIĆ** 13/12/1954 Kruševac Serbian
47.	26019/12	**Golub OJDANIĆ** 10/03/1944 Kruševac Serbian
48.	26020/12	**Srboljub ĐURĐEVIĆ** 24/04/1947 Kruševac Serbian
49.	26026/12	**Goran NIKOLIĆ** 23/09/1973 selo Gornji Stepoš Serbian
50.	26032/12	**Dragan NIKOLIĆ** 12/01/1950 selo Mali Šiljegovac Serbian
51.	26034/12	**Ružica NESTOROVIĆ** 20/10/1951 Kruševac Serbian
52.	26036/12	**Petar TRIFUNOVIĆ** 21/04/1946 Kruševac Serbian
53.	26041/12	**Dobrica MILOJEVIĆ** 26/10/1950

No	Application No	Applicant Date of birth Place of residence Nationality
		Kruševac Serbian
54.	26044/12	**Miladin TROŠIĆ** 29/11/1962 Kruševac Serbian
55.	26049/12	**Svetlana MILOJKOVIĆ** 28/02/1949 Kruševac Serbian
56.	26050/12	**Živorad ZDRAVKOVIĆ** 23/12/1950 selo Zdravinje Serbian
57.	26064/12	**Milovan STOJKOVIĆ** 02/08/1973 Kruševac Serbian
58.	26069/12	**Svetislav IVANOVIĆ** 29/03/1974 selo Crkvina Serbian
59.	26073/12	**Mirjana IVANOVIĆ** 24/11/1959 Kruševac Serbian
60.	26080/12	**Živorad IVANOVIĆ** 10/08/1946 Kruševac Serbian
61.	26111/12	**Zorica ZDRAVKOVIĆ** 26/06/1968 selo Lomnica Serbian
62.	26118/12	**Saša MILOVANOVIĆ** 28/11/1975 selo Vitanovac

No	Application No	Applicant Date of birth Place of residence Nationality
		Serbian
63.	26123/12	**Milovan JAKOVLJEVIĆ** 04/07/1958 selo V. Plana Serbian
64.	26131/12	**Slobodan ATANASKOVIĆ** 05/11/1957 Kruševac Serbian
65.	26137/12	**Radmila ANTIĆ** 21/04/1946 Kruševac Serbian
66.	26139/12	**Ljubomir ALIĆ** 01/09/1944 selo Pločnik Serbian
67.	26145/12	**Miroljub JOVANOVIĆ** 08/11/1972 Kruševac Serbian
68.	26154/12	**Bratislav KNEŽEVIĆ** 05/05/1957 Kruševac Serbian
69.	26156/12	**Branislav KALEZIĆ** 06/08/1950 Kruševac Serbian
70.	26160/12	**Miodrag KADRIĆ** 25/02/1948 selo Pločnik Serbian
71.	26164/12	**Ljubisav KOVAČEVIĆ** 16/04/1939

No	Application No	Applicant Date of birth Place of residence Nationality
		Kruševac Serbian
72.	26165/12	**Slavka KNEŽEVIĆ** 23/09/1950 Kruševac Serbian
73.	26166/12	**Milomir ŽIVKOVIĆ** 12/01/1949 Kruševac Serbian
74.	26167/12	**Ljubiša ŽIVOJINOVIĆ** 19/07/1942 selo V. Golovode Serbian
75.	26169/12	**Momčilo MILJKOVIĆ** 23/01/1948 selo Grevci Serbian
76.	26170/12	**Boban LISINAC** 24/11/1973 Kruševac Serbian
77.	26171/12	**Dragan LAZAREVIĆ** 14/05/1965 Kruševac Serbian
78.	26174/12	**Slavica KUČ** 29/05/1949 Kruševac Serbian
79.	26176/12	**Branislav JOVANOVIĆ** 19/06/1974 Kruševac Serbian
80.	26178/12	**Milica STOJANOV** 21/08/1948

No	Application No	Applicant Date of birth Place of residence Nationality
		Kruševac Serbian
81.	26181/12	**Ivanca STANKOV** 05/12/1952 Kruševac Serbian
82.	26186/12	**Miroslav CIVIĆ** 29/03/1943 selo Ribare Serbian
83.	26188/12	**Krstomir ĐORĐEVIĆ** 28/02/1951 selo Dedina Serbian
84.	26191/12	**Zoran PETROVIĆ** 05/06/1953 selo Dvorane Serbian
85.	26194/12	**Ljubiša PETRONIJEVIĆ** 25/01/1950 selo Sušica Serbian
86.	26198/12	**Dušan PETROVIĆ** 20/08/1948 Kruševac Serbian
87.	26200/12	**Suzana ĆIRIĆ** 01/11/1950 Kruševac Serbian
88.	26205/12	**Srboljub ĐOKOVIĆ** 04/03/1955 Kruševac Serbian
89.	26251/12	**Veroljub PANIĆ** 10/10/1963

No	Application No	Applicant Date of birth Place of residence Nationality
		selo Majdevo Serbian
90.	26255/12	**Snežana PANTELIĆ** 16/11/1976 selo Dvorane Serbian
91.	26276/12	**Selena VUČKOVIĆ** 20/11/1960 Kruševac Serbian
92.	26278/12	**Jovan TOŠIĆ** 21/05/1942 selo Dedina Serbian
93.	26281/12	**Milomir VUKADINOVIĆ** 09/04/1949 selo Sušica Serbian
94.	26282/12	**Tomislav PETROVIĆ** 07/01/1963 selo Dvorane Serbian
95.	26287/12	**Srboljub PETROVIĆ** 27/11/1956 Selo Igroš Serbian
96.	26288/12	**Miroljub OBRADOVIĆ** 25/08/1952 selo Golubovac Serbian
97.	26291/12	**Stojadin IVIĆ** 28/07/1943 selo Meševo Serbian
98.	26293/12	**Slađan STANOJLOVIĆ** 20/02/1977 selo Boljevac, R. Banja

No	Application No	Applicant Date of birth Place of residence Nationality
		Serbian
99.	26295/12	**Obrad CUCA** 17/03/1948 Kruševac Serbian
100.	26337/12	**Jelica RAŠKOVIĆ** 26/04/1957 Kruševac Serbian
101.	26338/12	**Dragan RISTIĆ** 25/03/1951 Kruševac Serbian
102.	26339/12	**Vukoman ČOLOVEJIĆ** 31/08/1956 Kruševac Serbian