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

FOURTH SECTION

DECISION

Application no. 65020/13
Slobodan ANASTASOV and Others
against Slovenia

The European Court of Human Rights (Fourth Section), sitting on 18 October 2016 as a Chamber composed of:

András Sajó, *President,*
Vincent A. De Gaetano,
Nona Tsotsoria,
Paulo Pinto de Albuquerque,
Krzysztof Wojtyczek,
Egidijus Kūris,
Gabriele Kucsko-Stadlmayer, *judges,*
and Marialena Tsirli, *Section Registrar,*

Having regard to the above application lodged on 14 October 2013,

Having regard to the decision to apply the pilot-judgment procedure in the case of *Kurić and Others v. Slovenia* (merits) [GC], no. 26828/06, § 415, ECHR 2012, and to the decision to adjourn the examination of all similar applications pending the adoption of a domestic *ad hoc* compensation scheme,

Having deliberated, decides as follows:

THE FACTS

1. Names and personal details of the 212 applicants are indicated in the appendix.

2. The applicants were represented before the Court by Mr A. Saccucci, a lawyer practising in Rome.

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

A. Circumstances of the case

3. The facts, as presented by the applicants, may be summarised as follows.

4. Before 25 June 1991, the date on which the Republic of Slovenia declared its independence, the applicants were all nationals of both the Socialist Federal Republic of Yugoslavia ("the SFRY") and of one of its constituent republics. As nationals of the SFRY, they had acquired the status of permanent residents in Slovenia. They belong to a group of persons known as the "erased" (*izbrisani*), former nationals of the SFRY with permanent residence in Slovenia whose names had been deleted from the Register of Permanent Residents on 26 February 1992 or on subsequent dates (see paragraph 34 below).

5. They are currently nationals of Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Slovenia. Some are stateless persons.

1. The general context

6. The complaints raised in this application arise out of the events and circumstances surrounding the dissolution of the SFRY, the declaration of independence of the Republic of Slovenia and the operation of the legislation enacted on that date, 25 June 1991. This independence legislation resulted in the so-called "erasure", without any prior notification, of the applicants' names from the Register of Permanent Residents in Slovenia, on 26 February 1992 or on subsequent dates. According to official data, 25,671 persons were thus "erased".

7. That meant in particular that the "erased" only subsequently became aware that they had become aliens, when, for example, they attempted to renew their personal documents. They experienced a number of adverse consequences, such as the destruction of their identity documents, the loss of job opportunities, the loss of health insurance, the impossibility of renewing identity documents or driving licences, and difficulties in securing pension rights. Some were also deported from Slovenia.

8. Further to the Constitutional Court's rulings of 1999 and 2003 to the effect that the legislation on the "erasure" had been unconstitutional, the Act on the Regularisation of the Legal Status of Citizens of Other Successor States to the Former SFRY in Slovenia (*Zakon o urejanju statusa državljanov drugih držav naslednic nekdanje SFRJ v Republiki Sloveniji* – "the Legal Status Act") was adopted in 1999 and subsequently amended in 2010. The deadline for filing requests for permanent residence permits under the amended Legal Status Act expired on 24 July 2013.

9. However, neither that legislation nor the practice of the Slovenian courts at the material time provided for the payment of any financial compensation to the "erased" for the damage they had suffered.

10. A more detailed account of the historical background and the relevant provisions of the Aliens Act, the Citizenship Act and the (amended) Legal Status Act, as well as other laws and the practice of Slovenian authorities, are to be found in the Court's judgment in the pilot case of *Kurić and Others v. Slovenia* (merits) [GC], no. 26828/06, §§ 16-83, ECHR 2012.

2. The pilot judgment on the merits delivered on 26 June 2012

11. In the above-mentioned judgment the Grand Chamber held, unanimously, that there had been a violation of the applicants' rights, as guaranteed by Articles 8, 13 and 14 of the Convention. The violation essentially originated in the prolonged failure of the Slovenian authorities, in spite of the Constitutional Court's leading judgments, to regulate the applicants' residential status following their "erasure" and to provide them with adequate redress in Slovenia (see paragraphs 6-8 above and *Kurić and Others* (merits), cited above, §§ 339-362, 369-372 and 384-396). Under Article 46 of the Convention, the Grand Chamber ordered the respondent State to set up as a general measure a domestic *ad hoc* compensation scheme within one year of the delivery of its judgment, that is to say no later than 26 June 2013 (see *Kurić and Others* (merits), cited above, § 415 and point 9 of the operative part).

12. The Court also awarded 20,000 euros (EUR) to each successful applicant in respect of non-pecuniary damage and the overall sum of EUR 30,000 in respect of costs and expenses. It reserved the applicants' claims for pecuniary damage for a later stage (see *Kurić and Others* (merits), cited above, §§ 424-427 and points 10 and 11 of the operative part).

3. Developments following the delivery of the judgment on the merits

(a) The "Erased" Compensation Act

13. On 21 November 2013 the Act on Compensation for Damage to Persons Erased from the Register of Permanent Residents (*Zakon o povračilu škode osebam, ki so bile izbrisane iz registra stalnega prebivalstva, ZPŠOIRSP*) ("the 'Erased' Compensation Act") was enacted. It entered into force on 18 December 2013 and has been applicable since 18 June 2014 (see paragraphs 38-44 below).

14. Within the framework of the execution of the pilot judgment of the Court referred to above, the Act set up an *ad hoc* compensation scheme for the "erased", providing for financial compensation and other forms of redress, as well as stipulating the procedure to be followed.

15. Its essential features are that it provides for financial compensation for the "erased", to be claimed in administrative proceedings, calculated on

the basis of a lump sum of EUR 50 for each completed month of "erasure", covering both pecuniary and non-pecuniary damage sustained.

16. Should the "erased" consider that they are entitled to additional compensation, they may lodge a claim under the general rules of the Code of Obligations (*Obligacijski zakonik*, Official Gazette no. 83/2001) in the judicial proceedings. The Act removes the statute of limitations in respect of claiming damages under the Code of Obligations, as interpreted previously by the Slovenian courts (see *Kurić and Others* (merits), cited above, § 83). Those "erased" who have previously had their claims for compensation dismissed or the proceedings in respect thereof stayed may lodge new claims with the courts.

17. The total amount of financial compensation, to be paid immediately or in a maximum of five installments (depending on the sum), may not exceed three times the lump sum of EUR 50 for each month of "erasure".

18. The beneficiaries of the scheme are those "erased" who have acquired a permanent residence permit, on any legal grounds, or been granted Slovenian citizenship, and also those "erased" who made an unsuccessful application to that effect under the previous legislation (that is to say prior to the enactment of the amended Legal Status Act), subject to certain conditions.

19. Any claims for compensation will have to be lodged no later than three years after the "Erased" Compensation Act became applicable, that is by 18 June 2017, or after receipt of the decision on permanent residence or Slovenian citizenship or the final negative decision under the previous legislation. In any event, the period of "erasure" may not extend beyond the date of the Act entering into force (for further details, see *Kurić and Others v. Slovenia* (just satisfaction) [GC], no. 26828/06, §§ 20-29, ECHR 2014-I).

(b) The Just Satisfaction Judgment in the *Kurić and Others* pilot case delivered on 12 March 2014

20. As to the proceedings concerning the application of Article 41 of the Convention in the pilot case, given that the respondent Government was late in adopting the domestic *ad hoc* compensation scheme and that the Court on 9 April and 14 May 2013 did not grant their requests for an extension of the time-limit, it decided to adjudicate on the outstanding issues under Article 41. On 12 March 2014 it handed down a just satisfaction judgment in respect of the pilot case (ibid., §§ 12 and 13).

21. Having regard to the inherently uncertain character of the damage arising from the violation of the Convention rights and the lapse of time since the damage had occurred, and making an assessment on an equitable basis, the Grand Chamber considered it reasonable to make a monetary award, based on the varying length of time spent by each applicant as an "erased" person, from 28 June 1994 until the date on which his or her legal status was finally restored, multiplied by a monthly lump sum of EUR 150.

A monetary award to two applicants in respect of their respective children was also made, calculated on the basis of a monthly lump sum of EUR 80 for each month of "erasure" (ibid., §§ 86-89 and 108-109). The applicants were all thus awarded sums of between EUR 29,400 and EUR 72,770 in respect of pecuniary damage and sums in respect of costs and expenses incurred in the proceedings (ibid., point 1 of the operative part).

22. Under Article 46 of the Convention, the Grand Chamber also made a preliminary positive assessment of the domestic *ad hoc* compensation scheme that had in the meantime been implemented (ibid., § 140).

(c) Other developments

23. As to the subsequent court proceedings in Slovenia, following the adoption of the "Erased" Compensation Act, on 24 January 2014 the Constitutional Court dismissed a petition lodged by an association of the "erased" for a constitutional review of the amended Legal Status Act and of the legal order in general, mostly in respect of the lack of financial reparation for the consequences of the "erasure" (no. U-I-85/11-19 – see *Kurić and Others* (merits), cited above, § 81). The Constitutional Court held that the previous legal vacuum had been filled by the enactment of the "Erased" Compensation Act and that the petitioners no longer had any legal interest in pursuing the proceedings before the Constitutional Court.

24. Furthermore (according to information available on the Internet), in 2015 the Constitutional Court rendered several decisions, quashing judgments given by the lower courts and remitting cases for reconsideration. It held that in ruling on such compensation claims, special regard should be given by the courts to the special situation of the "erased", in particular in respect of the State's liability and the rules governing the statute of limitations, thus reversing the case-law established after the Supreme Court's decision of 2012 (see also *Kurić and Others* (merits), cited above, § 83, as well as paragraph 9 above). It stated that the Court's judgments in the pilot case of *Kurić and Others* were of special relevance.

4. Execution of the pilot judgment and the final Resolution of the Committee of Ministers

25. On 25 May 2016 the Committee of Ministers adopted Resolution CM/ResDH(2016)112 in the pilot case of *Kurić and Others* ("the 2016 CM Final Resolution") under the terms of Article 46 § 2 of the Convention. It examined an action report provided by the respondent Government indicating the measures that would need to be taken in order to give effect to the judgment on the merits in that case.

26. In that action report, which was submitted on 18 March 2016, the respondent Government informed the Committee of Ministers that both individual and general measures had been taken in executing the merits and just-satisfaction judgments. As to general measures, steps had been taken to

ensure that the compensation scheme functioned properly and that adequate funds had been set aside to meet the claims. It was estimated that approximately EUR 129,600,000 would be needed for the purposes of pecuniary compensation. The actual amount paid in pecuniary compensation that had been claimed through administrative and judicial proceedings in 2014 and 2015 stood at EUR 3,972,128.63 and EUR 5,137,542.37, respectively. The 2016 and 2017 budgets foresee a total of EUR 7,110,200 and EUR 10,007,000 in compensation, respectively.

27. As to the statistics, from 18 June 2014, when the "Erased" Compensation Act became applicable, until 26 February 2016, 7,268 claims for financial compensation were lodged with the administrative authorities. By 26 February 2016, decisions had been adopted in respect of 7,081 claims, representing 97.5% of the claims lodged. By 26 February 2016, the total amount determined by final decisions in respect of the payment of compensation in administrative proceedings stood at EUR 21,985,500.

28. During the same period, fifty-one additional claims were lodged with the courts in judicial proceedings, while twenty-nine similar claims were addressed to the State Attorney's Office in an attempt to reach a settlement. By 26 February 2016, the State Attorney's Office had closed eighteen cases by dismissing the claims concerned. It had also terminated two cases, one by awarding compensation in the amount of EUR 9,854.11. As to the judicial proceedings, the first- and second-instance courts had given decisions in six cases by 26 February 2016. Three such decisions had become final; two of those decisions had ordered the payment of compensation, while third had confirmed the withdrawal of the claim in question. Other proceedings were pending.

29. The Government stated that these figures should be seen in the correct context. By July 2013, 10,046 of the 25,671 "erased" had settled their residence status (see *Kurić and Others* (just satisfaction), cited above, § 28). Furthermore, by 31 January 2016 under the amended Legal Status Act, 1,907 requests for permanent residence had been lodged (of these, 1,608 had been lodged by the "erased" themselves, seventy by their children and 229 by citizens of other successor States to the former SFRY who had not been subject to the "Erased" Compensation Act). By the same date, a total of 259 permanent residence permits had been issued (217 of these to "erased" persons), 1,395 requests for a permanent residence permit had been refused and 253 were awaiting a decision.

30. The data available as at 31 January 2016 also showed that 933 requests for a special *ex tunc* decision on the granting of a residence permit had been lodged with the lowest administrative authority (see *Kurić and Others* (merits), cited above, § 77). Of these, 254 such requests had been lodged by the "erased", 70 by the children of "erased", and 609 by Slovenian nationals who had been "erased" before they had acquired Slovenian citizenship. By the same date, the administrative authorities had

issued 612 such special decisions (111 of these were granted to the "erased", 39 to their children and 462 to Slovenian nationals). 255 requests had been refused and 66 proceedings remained pending.

31. The respondent Government considered, in view of the above-mentioned figures, that most eligible beneficiaries had largely availed themselves of the possibility to claim compensation provided for under the "Erased" Compensation Act.

32. The Committee of Ministers, having satisfied itself that all the measures required by Article 46 § 1 had been adopted, declared that it had exercised its functions under Article 46 § 2 of the Convention in the *Kurić and Others* case and decided to close the examination thereof.

5. The particular circumstances of the present case

33. All applicants in the present case are in an essentially similar situation to that of the successful applicants in the pilot case of *Kurić and Others*, who had regularised their legal status in Slovenia by the acquisition of permanent residence permits before the Grand Chamber judgment on the merits was given (see *Kurić and Others* (merits), cited above, §§ 95, 123, 133, 158, 173 and 194).

34. Most of the applicants were "erased" from the Register on 26 February 1992, since they had failed to apply for Slovenian citizenship within the prescribed time-limit, 25 December 1991. Furthermore, some of the applicants did apply in time for Slovenian citizenship, but their requests were refused on other grounds (for instance because they did not meet the requirement that they actually be resident in Slovenia at the time of lodging their respective citizenship requests). Accordingly, they were "erased" from the Register two months after the relevant administrative decision had become final. They thus became aliens with no legal status in Slovenia (see paragraphs 4 and 6 above).

35. By means of legal instruments adopted on various dates by the Slovenian authorities under the Legal Status Act, the amended Legal Status Act, or the Citizenship Act, or further to the leading decisions of the Constitutional Court (see paragraph 8 above), the applicants regularised their legal status in Slovenia either by obtaining permanent residence permits (with or without retroactive effect) or by acquiring Slovenian citizenship. Some of the applicants, having obtained Slovenian citizenship, were granted *ex tunc* permanent residence from the date of their "erasure" until the date of their acquiring citizenship (for the dates of regulation of the legal status as well as periods of unregularised status in respect of individual applicants, see the appendix).

36. None of the applicants has informed the Court that they had made use of the compensatory remedy provided for by the "Erased" Compensation Act (see paragraphs 13-19 above and 38-44 below).

B. Relevant domestic law

1. General background and laws, as applicable before the "Erased" Compensation Act came into effect

37. A detailed description of the historical, political and social background to the case and of the laws affecting and governing the status of the "erased" can be found in *Kurić and Others* (merits), cited above, §§ 16-83 and 196-215.

*2. Act Regulating Compensation for Damage Sustained as a Result of Erasure from the Register of Permanent Residents (*Zakon o povračilu škode osebam, ki so bile izrisane iz registra stalnega prebivalstva, *Official Gazette no. 99/2013)*

38. Section 2 of this Act defines the beneficiaries of the *ad hoc* compensation scheme.

Section 2

"(1) A beneficiary of compensation for damage sustained as a result of erasure from the Register of Permanent Residents shall be a person who was erased from the Register of Permanent Residents and

- obtained a permanent residence permit under the Aliens Act ..., the Legal Status Act ... or the Temporary Asylum Act ... after being erased from the Register of Permanent Residents, or

- was granted citizenship of the Republic of Slovenia after being erased from the Register of Permanent Residents.

(2) A beneficiary of compensation for damage sustained as a result of erasure from the Register of Permanent Residents may also be a person erased from the Register of Permanent Residents

- who after erasure from the Register of Permanent Residents and before the enforcement of the amended Legal Status Act ... lodged an application for the issuance of a permanent residence permit under the Aliens Act ..., the Legal Status Act ... or the Temporary Asylum Act ... or an application for citizenship of the Republic of Slovenia, and

- whose application was rejected [or] dismissed or the procedure was stayed, except in the event that the application was rejected because of a threat to public order, security or the defence of the Republic of Slovenia, international relations or the prosecution of criminal offences, in compliance with the provisions of the Citizenship of the Republic of Slovenia Act ... [or] the Aliens Act ..., or ... on grounds [specified in] Article 3 of the Legal Status Act, or if the procedure was stayed due to the non-cooperation of the party concerned during the establishment of such grounds, [provided that] the person actually lived in the Republic of Slovenia during the period between [his or her] erasure from the Register of Permanent Residents and a final decision being made under the preceding paragraph.

(3) The condition of actual residence in the Republic of Slovenia under the preceding paragraph [shall be deemed to have] been met if the person left the Republic of Slovenia and the uninterrupted absence lasted for no more than one year,

irrespective of the reason for such absence. The condition of actual residence in the Republic of Slovenia shall also have been met if the absence lasted for more than one year and the absence was justified ...

(4) The right to compensation for damage sustained as a result of erasure from the Register of Permanent Residents shall not be accorded to a person who was erased from the Register of Permanent Residents and whose application for permanent residence, lodged in accordance with the act regulating the legal status of citizens of the former Yugoslavia living in the Republic of Slovenia, was rejected, dismissed or the procedure was stayed after the enactment of the amended Legal Status Act."

39. Section 3 of this Act defines the period of "erasure".

Section 3

"(1) [For a person not in possession of a permanent residence permit of the Republic of Slovenia prior to his or her naturalisation as a citizen of the Republic of Slovenia] the period of erasure shall be the period between the date of erasure from the Register of Permanent Residents and the date of the issuance of a permanent residence permit or the period between the date of erasure from the Register of Permanent Residents and the date of naturalisation as a citizen of the Republic of Slovenia. ..."

40. Section 4 specifies the different forms of redress available to the "erased".

Section 4

"(1) Pecuniary compensation for damage sustained during the period of erasure as a result of deletion from the Register of Permanent Residents may be claimed by a beneficiary in an administrative procedure and shall be determined in accordance with the conditions and criteria laid down in this Act; a beneficiary shall also have the right to initiate a court action to seek pecuniary compensation.

(2) Subject to the conditions laid down in this Act, a beneficiary shall also be entitled to other forms of just satisfaction for damage sustained as a result of erasure from the Register of Permanent Residents.

(3) A beneficiary shall be entitled to claim damages under this Act if prior to the application of this Act a pecuniary compensation claim brought in judicial proceedings in respect of compensation for damage sustained as a result of erasure from the Register of Permanent Residents was finally rejected or dismissed or the procedure was stayed."

41. The following provisions are relevant for claiming financial compensation within the framework of administrative proceedings.

Section 7

"(1) The amount of pecuniary compensation awarded to a beneficiary in the administrative procedure shall depend on the period of erasure.

(2) A beneficiary shall be entitled to a compensation payment of EUR 50 for every complete month of erasure from the Register of Permanent Residents. ..."

Section 8

"(1) The administrative procedure for determining pecuniary compensation shall be initiated by the party [concerned]. A claim for the determination of the amount of

pecuniary compensation shall be lodged within three years of the date the application this Act becoming applicable.

(2) A person who has not yet been issued a final decision on an application for permanent residence permit or for citizenship of the Republic of Slovenia lodged prior to the date of this Act becoming applicable and who, on the basis of the aforementioned application, satisfies the conditions referred to in Article 2 of this Act shall have the right to lodge a claim to determine the amount of pecuniary compensation within three years of obtaining a permanent residence permit or being granted citizenship of the Republic of Slovenia or within three years of a final decision by which an application for the issuance of permanent residence or citizenship of the Republic of Slovenia was rejected [or] dismissed or of the procedure being stayed. ..."

42. The provisions concerning claims for financial compensation within the framework of judicial proceedings are the following.

Section 10

"(1) Compensation for damage caused by erasure from the Register of Permanent Residents and sustained by a beneficiary during the period of erasure may be claimed by the beneficiary in a court action for payment of compensation for damage sustained as a result of erasure from the Register of Permanent Residents (hereinafter: an action) within three years of the date of this Act becoming applicable. ..."

Section 11

"(1) When deciding on pecuniary compensation for erasure from the Register of Permanent Residents, the provisions of the act governing obligations shall be followed, unless otherwise provided by this Act.

(2) The proceedings referred to in paragraphs 1 and 2 of the preceding Article shall not be subject to the statute of limitation in respect of claims referred to in paragraph 15 of the Code of Obligations."

Section 12

"Total pecuniary compensation for damage sustained as a result of erasure from the Register of Permanent Residents, including statutory default interest, awarded in judicial proceedings may not exceed three times the pecuniary compensation determined for a beneficiary in administrative proceedings."

43. Section 13 defines the payment procedures in respect of financial compensation.

Section 13

"(1) Pecuniary compensation shall be paid to a beneficiary in up to five instalments, depending on its amount.

(2) Pecuniary compensation determined in an amount up to and including EUR 1,000 shall be paid to a beneficiary in a single sum within 30 days of the final decision or judgment. ...

(6) Pecuniary compensation determined in an amount above EUR 4,000 shall be paid to a beneficiary in five equal instalments, whereby the first instalment must not be lower than EUR 1,000. The first instalment, of a minimum of EUR 1,000, shall be paid within 30 days of the final decision or judgment and the remaining amount shall

be paid in four equal instalments, to be paid one year following the due date of the first or previous instalment."

44. Section 15 provides for other forms of redress to be made to the "erased".

Section 15

"In addition to pecuniary compensation under the conditions laid down in this Act, a beneficiary shall also be entitled to other forms of just satisfaction:

1. payment of contributions for compulsory health insurance;

2. inclusion and priority consideration in social assistance programmes;

3. facilitation of exercising rights to public funds;

4. State scholarships;

5. equal treatment in resolving housing problems;

6. access to the education system;

7. participation and priority treatment in programmes for aliens other than EU nationals aimed at assisting their integration into the cultural, economic and social life of the Republic of Slovenia."

COMPLAINTS

45. The applicants submitted a two-part complaint under Articles 8, 13 and 14 of the Convention. Firstly, they complained essentially along the same lines as in the pilot case of *Kurić and Others* – namely that they had been arbitrarily deprived of their status as permanent residents after Slovenia declared its independence in 1991. Their situation had remained unsettled for several years – in the case of some of them for more than two decades – until they had regularised their legal status in spite of the Constitutional Court's leading decisions. Secondly, they complained that the Slovenian authorities had failed to grant them prompt and adequate financial redress for the damage, pecuniary and non-pecuniary, which they had suffered as a result of the circumstances examined in the *Kurić and Others* judgment. They maintained in particular that the Slovenian authorities had breached their obligation to set up an *ad hoc* compensation scheme for the whole category of the "erased" within the deadline indicated by the Grand Chamber, that is to say by 26 June 2013 (see paragraph 11 above).

THE LAW

A. Scope of the case before the Court

1. The Court's temporal jurisdiction

46. The Court finds that the repercussions of the "erasure" on 26 February 1992 or on subsequent dates, but prior to 28 June 1994, when the Convention entered into force in respect of Slovenia, still obtained on the latter date and were continuing to adversely affect the applicants (see *Kurić and Others* (merits), cited above, §§ 240-242).

47. Accordingly, the Court's jurisdiction *ratione temporis* covers the period following the date of ratification, the facts that occurred before that date being considered only inasmuch as they have created a situation extending beyond that date or are relevant for the understanding of the situation obtaining afterwards.

2. Individual and general dimension of the case

48. The present case, lodged by 212 "erased" persons, and the remaining 55 similar adjourned cases, involving more than 600 applicants, currently on the Court's docket, originated in the same structural shortcoming that was found by the Court in the *Kurić and Others* judgment on the merits to be at the root of its finding of a violation of Articles 8, 13 and 14 of the Convention since "the applicants were not awarded proper financial redress for the years during which they were in a position of vulnerability and legal insecurity and ... as matters currently stood, the possibility of obtaining compensation at the domestic level in civil proceedings or before the State Attorney's Office was still remote". In particular, the Grand Chamber found that the facts of the case disclosed the existence, within the Slovenian legal order, of a shortcoming as a consequence of which the whole category of the "erased" were at that time denied compensation for the infringement of their fundamental rights (see *Kurić and Others* (merits), cited above, § 412).

49. In that connection, the Court directed that "the respondent Government should, within one year of the delivery of the present judgment, set up a domestic *ad hoc* compensation scheme" (ibid., § 415 and point 9 of operative part – see also paragraph 11 above).

50. In consequence, the Court, applying the pilot-judgment procedure within the meaning of Rule 61 of the Rules of Court in the individual applicants' case, not only recognised the Convention violation in respect of all actual and potential applicants who found themselves in a similar situation but also made clear that general measures at the national level were called for in the execution of the judgment and that those measures should take into account the other persons affected and remedy the systemic defect

underlying the Court's finding of a violation (see *Wolkenberg and Others v. Poland* (dec.) no. 50003/99, §§ 31-33, ECHR 2007‑XIV, and *Broniowski v. Poland* (friendly settlement) [GC], no. 31443/96, § 34, ECHR 2005-IX).

B. Application of the pilot-judgment procedure

51. The object of the Court's designating a case for a "pilot-judgment procedure" is to facilitate the speediest and most effective resolution of a dysfunction affecting the protection of the Convention right in question in the national legal order (see, *mutatis mutandis*, *Kurić and Others* (just satisfaction), cited above, § 134, with further references therein). One of the relevant factors considered by the Court in devising and applying that procedure has been the growing threat to the Convention system resulting from large numbers of repetitive cases that derive from, among other things, the same structural or systemic problem (see *Broniowski* (friendly settlement), cited above, § 35).

52. The pilot-judgment procedure is primarily designed to assist the Contracting States in fulfilling their role in the Convention system by resolving problems at the national level, thereby securing to the persons concerned their Convention rights and freedoms, as required by Article 1 of the Convention, and offering to them more rapid redress but also, at the same time, making it unnecessary for the Court to adjudicate on large numbers of applications similar in substance which it would otherwise have to take to judgment (see *Hutten-Czapska v. Poland* (merits) [GC], no. 35014/97, §§ 231-234, ECHR 2006‑VIII; *Wolkenberg and Others*, decision cited above, § 34; and *The Association of Real Property Owners in Łódź v. Poland* (dec.) no. 3485/02, § 43, ECHR 2011-II (extracts)).

53. Another important aim of this procedure is to induce the respondent State to resolve large numbers of individual cases arising from the same structural problem at the domestic level, thus implementing the principle of subsidiarity, which underpins the Convention system. Indeed, the Court's task, as defined by Article 19 – that is to "ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto" – is not necessarily best achieved by repeating the same findings in a large series of cases (see *Suljagić v. Bosnia and Herzegovina*, no. 27912/02, § 62, 3 November 2009; see also, by analogy, *E.G. and 175 Other Bug River applications v. Poland* (dec.), no. 50425/99, § 27, ECHR 2008-IV (extracts); and, *mutatis mutandis*, *Kurić and Others* (just satisfaction), cited above, § 134).

54. This adjudicative approach is pursued with due respect for the Convention organs' respective functions. While it falls to the Committee of Ministers to evaluate the implementation of individual and general measures under Article 46 § 2 of the Convention (see *Broniowski* (friendly settlement), cited above, § 42; *Hutten-Czapska v. Poland* (friendly

settlement) [GC] no. 35014/97, § 42, 28 April 2008; *Suljagić*, cited above, § 61; and *Kurić and Others* (just satisfaction), cited above, § 133), the Court, in its examination of follow-up cases after the adoption of the pilot-judgment, has the power to decide whether, in view of the remedial action taken by the State, the matter giving rise to the Convention complaints in those cases "has been resolved" for the purposes of Article 37 of the Convention and whether or not it is justified to continue the pilot-judgment procedure (see *Wolkenberg and Others,* cited above, § 77; *E.G. and 175 Bug River applications*, cited above, §§ 25-29; and *The Association of Real Property Owners in Łódź*, cited above, § 45).

55. Thus, it is inherent in the pilot-judgment procedure that the Court's assessment of the situation complained of in a "pilot" case necessarily extends beyond the sole interests of the individual applicant and requires it to examine that case also from the perspective of the general measures that need to be taken in the interest of other potentially affected persons (see *Hutten-Czapska* (merits), cited above, § 238; *Broniowski* (friendly settlement), cited above, § 36; and *Hutten-Czapska* (friendly settlement), cited above, § 33; see also, *mutatis mutandis*, *Kurić and Others* (merits), cited above, § 412).

56. The same logic applies to the Court's interpretation of the notion of "respect for human rights as defined in the Convention and the Protocols thereto" in cases dealt with within the context of this procedure, where the Court, in determining whether it can strike the application out of its list, pursuant to Article 37 § 1 (b) of the Convention, on the ground that the matter has been resolved, will have regard not only to the applicant's individual situation but also to measures aimed at resolving the general underlying defect in the domestic legal order identified in the judgment on the merits as the source of the violation found (see *Wolkenberg and Others*, cited above, § 35, and *The Association of Real Property Owners in Łódź*, cited above, § 46; see also, *mutatis mutandis*, *Broniowski* (friendly settlement), cited above, §§ 36-37, and *Hutten-Czapska* (friendly settlement), cited above, § 35).

57. In consequence, the ruling in the present case, chosen by the Court for the examination of the issue of whether or not it is justified to apply Article 37 § 1 of the Convention and to continue the pilot-judgment procedure initiated in the case of *Kurić and Others*, will have consequences for all similar adjourned cases.

C. Complaints under Articles 8, 13 and 46 of the Convention

58. The applicants alleged a violation of Articles 8, 13 and 14 of the Convention, along the same lines as in the pilot case of *Kurić and Others*. In addition, they complained under Article 46 of the Convention that the Slovenian authorities had breached their obligation on account of their

failure to set up the *ad hoc* compensation scheme within the deadline indicated by the Grand Chamber, that is to say by 26 June 2013 (see paragraphs 45 above and 79-81 below).

59. Article 8 of the Convention reads as follows:

> "1. Everyone has the right to respect for his private and family life ...
>
> 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

60. Article 14 provides:

> "The enjoyment of the rights and freedoms set forth in [the] Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

61. Article 46 provides, in so far as relevant:

> "1. The High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties.
>
> 2. The final judgment of the Court shall be transmitted to the Committee of Ministers, which shall supervise its execution. ..."

D. Application of Article 37 of the Convention

62. Article 37 reads, in so far as relevant, as follows:

> "1. The Court may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to the conclusion that
>
> ...
>
> (b) the matter has been resolved; ...
>
> However, the Court shall continue the examination of the application if respect for human rights as defined in the Convention and the Protocols thereto so requires.
>
> 2. The Court may decide to restore an application to its list of cases if it considers that the circumstances justify such a course."

1. Compatibility of the domestic ad hoc compensation scheme with the Court's findings

63. The Court notes that in addition to the amended Legal Status Act, which was designed to regulate the residence of the "erased" in Slovenia in response to the Constitutional Court's rulings and the Court's findings in the Chamber judgment (see paragraph 8 above, and *Kurić and Others* (merits), cited above, §§ 336-338 and 405), on 18 December 2013 the "Erased" Compensation Act entered into force, setting up a domestic *ad hoc* compensation scheme for the "erased". This scheme was introduced by the

respondent State further to the finding of the Grand Chamber that, after the acquisition of their permanent residence permits, the applicants lacked proper financial redress for the years during which they had been in a position of vulnerability and legal insecurity (see paragraph 11 above and *Kurić and Others* (merits), cited above, § 412).

64. The "Erased" Compensation Act introduced the possibility of claiming financial compensation on the basis of a lump sum for each completed month of "erasure", plus additional compensation under the general rules of the Code of Obligations for those of the "erased" that fulfilled statutory conditions. It also removed the statute of limitations for claiming damages under the Code of Obligations, as applied previously by the Slovenian judiciary. Those "erased" who have previously had their claims for compensation dismissed or the proceedings stayed may lodge new claims. Furthermore, other forms of reparation are available to applicants. The Act became applicable on 18 June 2014 and any claims for compensation have to be filed by 18 June 2017 or within three years of receipt of the decision regulating the legal status of the "erased" in Slovenia (see paragraphs 13-19 and 38-44 above).

65. The Court finds that all the applicants – as "erased" persons who have acquired a permanent residence permit on various legal grounds or have been granted Slovenian citizenship – may avail themselves of the possibility of claiming financial compensation within the framework of administrative proceedings under Section 8 of the "Erased" Compensation Act. Should they consider that they are entitled to additional compensation, they may lodge a claim with the competent court, further to section 10 of the "Erased" Compensation Act (see paragraphs 38, 41 and 42 above). However, none of the applicants has informed the Court that he or she had availed himself or herself of this possibility (see paragraph 36 above).

66. The Court observes that the Grand Chamber made a positive preliminary assessment of this legislation (which was enacted after the delivery of the judgment on the merits) in its judgment awarding just satisfaction in respect of pecuniary damage to the applicants in the *Kurić and Others* case (see paragraph 22 above), while underlining that it would be for the Committee of Ministers under Article 46 of the Convention to evaluate the general measures adopted by the respondent State and their implementation as far as the supervision of the execution of the Court's judgment on the merits was concerned (see *Kurić and Others* (just satisfaction), cited above, §§ 140 and 142).

67. As to an approach that involved awarding lump-sum compensation in respect of the pecuniary and non-pecuniary damage sustained by the "erased", the Grand Chamber considered that, given the particular difficulty in making a precise estimation of the pecuniary damage incurred by the applicants as a result of their "erasure", that basic solution appeared to be appropriate (ibid., § 140). Indeed, the Grand Chamber adopted the same

approach in respect of pecuniary damage in the just satisfaction judgment (see paragraphs 106-109 thereof) and in respect of non-pecuniary damage in the judgment on the merits (see paragraph 425 thereof).

68. As to the level of the financial compensation available under the domestic *ad hoc* compensation scheme, the Court observes that according to the principle of subsidiarity and the margin of appreciation which goes with it, the amounts of compensation awarded at national level to other adversely affected persons within the context of general measures under Article 46 of the Convention are at the discretion of the respondent State, provided that they are compatible with the Court's judgment ordering those measures (see *Kurić and Others* (just satisfaction), cited above, § 141).

69. In this respect the Court notes that the level of the available domestic financial compensation is inferior to the awards made to each successful applicant in the pilot judgment, where under Article 41 of the Convention the Grand Chamber awarded a lump sum of EUR 150 in respect of pecuniary damage and a lump sum of approximately EUR 100 in respect of non-pecuniary damage, totaling an average lump sum of EUR 250 for each completed month of "erasure'. Furthermore, a special award of a monthly lump sum of EUR 80 for each completed month of "erasure" was made in the pilot case to the children of the "erased", where appropriate. It is further noted that, for the Court, the starting point for the calculation of the award of damage on the basis of "erasure" was 28 June 1994, when the Convention came into force in respect of Slovenia (ibid., §§ 108-109, and paragraph 21 above).

70. The monthly lump sum for each completed month of "erasure" that could be claimed in administrative proceedings under the domestic *ad hoc* compensation scheme therefore represents approximately 20% of the sums awarded to each successful applicant in the *Kurić and Others* case. However, after an award in administrative proceedings, the possibility remains open to the "erased" to lodge a claim for additional compensation in judicial proceedings. The maximum amount that could be awarded within the framework of those proceedings would theoretically represent 60% of the individual award made in the pilot judgment. Finally, under the domestic *ad hoc* compensation scheme, an award of financial compensation would also be made for the months prior to 28 June 1994, slightly raising this percentage, depending on the situation of each "erased" person.

71. The Court observes in this respect that it has held on a number of occasions that a wider margin of appreciation should be left to the domestic authorities in assessing the amount of compensation to be paid. Such an assessment should be carried out in a manner consistent with its own legal system and traditions and take into account the standard of living in the country concerned, even if that results in awards of amounts that are lower than those fixed by the Court in similar cases (see *Cocchiarella v. Italy*

[GC], no. 64886/01, § 80, ECHR 2006‑V, and *Bizjak v. Slovenia* (dec.), no. 25516/12, § 39, 8 July 2014).

72. The Court considers that in general, the amounts of financial compensation chosen by the domestic authorities, ranging approximately between 20% and 60% of the Grand Chamber's individual award in the pilot case, do not appear to be unreasonable or disproportionate, considering the wide margin of appreciation accorded to them. In the *Wolkenberg and Others* case (decision cited above, §§ 63-66), the Court accepted compensation amounting to 20% of the value of lost property in the so-called "territories beyond the Bug River" as sufficient in the particular circumstances of that case. In the case of *Bizjak* (decision cited above, §§ 37-43), the Court took the same stance within the context of prison overcrowding in Slovenia, where compensation awarded by a domestic court represented approximately 30% of the award made by the Court in the pilot judgment *Mandić and Jović v. Slovenia* (nos. 5774/10 and 5985/10, § 132, 20 October 2011). Finally, in *Stella and Others v. Italy* ((dec.), nos. 49169/09, 54908/09, 55156/09, 61443/09, 61446/09, 61457/09, 7206/10, 15313/10, 37047/10, 56614/10 and 58616/10, § 62, 16 September 2014), the Court held that the levels of compensation available domestically, although inferior to the Court's awards, should not be deemed unreasonable. Furthermore, the Court emphasizes in this respect that the object of the present decision is the potential compatibility of the domestic *ad hoc* compensation scheme, and not the question whether, in view of the sums awarded at the domestic level, the applicant has lost his or her victim status. This second type of assessment can be made, in every individual case, only after the relevant national remedy has been tried (see *Bizjak*, decision cited above, § 43).

73. In addition, there is currently relatively scarce established domestic case-law concerning claims for additional financial compensation (see paragraphs 24 and 28 above). It cannot therefore be concluded that there is a discernible pattern rendering the use of this domestic avenue futile. To the contrary, due note has been taken by the Court of the decisions of the Constitutional Court handed down in 2015 that lower courts should bear in mind the special features of the situation of the "erased" when deciding on their compensation claims. In accordance with the subsidiarity principle, any criticism concerning the amount of domestic financial compensation should first be voiced through domestic judicial proceedings (see paragraph 24 above).

74. As to the arrangements for the payment of financial compensation awarded in the administrative proceedings, the Court notes that amounts exceeding EUR 1,000 are payable in a maximum of five instalments, over a maximum period of five years (see paragraph 43 above). The Court finds that such payment intervals do not appear to be unreasonable (see, conversely and *mutatis mutandis*, *Đurić and Others v. Bosnia and*

Herzegovina, nos. 79867/12, 79873/12, 80027/12, 80182/12, 80203/12 and 115/13, §§ 16-17 and 47, 20 January 2015).

75. Lastly, the "Erased" Compensation Act provides for different forms of redress aimed at the reintegration of the "erased" into Slovenian society (see *Kurić and Others* (just satisfaction), cited above, § 27, and paragraph 44 above). In the Court's view, in choosing these other forms of reparation the domestic authorities were better placed than the Court and had at their disposal a much wider range of measures capable of providing appropriate relief tailored to the needs of the "erased" (see, *mutatis mutandis*, *The Association of Real Property Owners in Łódź,* cited above, § 86).

76. For the purposes of the present ruling, it suffices to the Court to note that the Committee of Ministers has found that the respondent Government has taken adequate action in order to satisfactorily afford redress for their past grievances to those "erased" who have successfully regularised their legal status (see paragraph 32 above). The preliminary positive assessment of the "Erased" Compensation Act by the Grand Chamber remains valid; likewise, within the context of this case the State's remedial action aimed at resolving the systemic problem is a factor relevant to the issue of "respect for human rights, as defined in the Convention and the Protocols thereto", within the meaning of Article 37 § 1 of the Convention.

2. Redress for a violation of the Convention afforded to other persons affected at the domestic level

77. The Court notes at the outset that, within the framework of the execution of the pilot judgment, the respondent Government informed the Committee of Ministers that general measures had been taken, namely the introduction of a domestic *ad hoc* compensation scheme for the "erased" (see paragraphs 26-31 above). They further stated that the implementation of the amended Legal Status Act and of the "Erased" Compensation Act, as well as the practice of the domestic authorities, had secured the overall result of satisfactorily regulating the residence status of the "erased" and of providing adequate financial compensation to them.

78. The Court observes that according to the information submitted by the respondent Government, in addition to 10,046 "erased" who had regulated their legal status by July 2013, 259 further permanent residence permits had been issued. By 31 January 2016, 10,305 "erased" and their children had therefore regularised their residence status or acquired Slovenian citizenship (see paragraph 29 above). It is now open to them to seek compensation and other measures of redress under the "Erased" Compensation Act.

79. The applicants, who lodged their application with the Court when the Bill creating the *ad hoc* compensation scheme was still passing through Parliament, challenged the effectiveness of that scheme.

80. In particular, they complained about the level of financial compensation and the arrangements for its payment, as provided by the "Erased" Compensation Act. The then proposed lump sum of EUR 40 for each full month of "erasure" was clearly unsatisfactory and represented only 15% of the social assistance to which any permanent citizen of Slovenia would be entitled (which at the time amounted to EUR 260) (see *Kurić and Others* (just satisfaction), cited above, § 34). The proposed lump sum was to cover both pecuniary and non-pecuniary damages. According to applicants, in the *Kurić and Others* judgment on the merits, the successful applicants had been awarded approximately EUR 88 in respect of only non-pecuniary damage. Furthermore, the compensation that an "erased" person could subsequently claim in judicial proceedings had been capped at 2.5 times the amount received in administrative proceedings. The Government's argument before the Parliament that the global economic crisis and the recession justified such a limitation had no acceptable legal basis. The applicants also criticised certain procedural provisions of the Bill, as well as the procedure for payment of financial compensation (payment in instalments, with the maximum total period of payment being five years).

81. Citing the Court's judgment in the case of *Yuriy Nikolayevich Ivanov v. Ukraine* (no. 40450/04, 15 October 2009), the applicants considered that there was no valid reason to wait any longer for the adoption of the domestic *ad hoc* compensation scheme and that they were entitled to have their complaints addressed directly by the Court. Unlike in other cases (see, *mutatis mutandis, Demiroğlu v. Turkey* (dec.), 56125/10, 4 June 2013), there were no special circumstances in the present case justifying an exception to the general principle that an assessment of whether domestic remedies should be exhausted was to be carried out with reference to the date on which the application was lodged.

82. The Court takes due note of the fact that funds have been earmarked in the respondent State's budget for the operation of the *ad hoc* compensation scheme (see paragraph 26 above). In the period following the Act becoming applicable and 26 February 2016 – that is to say over approximately one year and eight months – 97.5% of 7,268 claims were resolved in administrative proceedings. Furthermore, eighty claims were lodged in judicial proceedings and with the State Attorney's Office. Of these, in two cases decided by the courts and in one case terminated by the Attorney General compensation has to be paid to the "erased". In eighteen other cases closed by the Attorney General, the proceedings were terminated. The Constitutional Court has also already examined such cases and remitted them for rehearing. Other proceedings are awaiting a decision (see paragraphs 24, 27 and 28 above). The Court finds these developments for the time being satisfactory.

83. As to the level of domestic financial compensation, the Court refers to its findings concerning the compatibility of the domestic *ad hoc*

compensation scheme (see paragraphs 63-76 above). In any event, it notes that in the course of the legislative process the lump sum was increased from EUR 40 to EUR 50 for each completed month of "erasure" and that the maximum level of compensation that could be sought in judicial proceedings was also raised from 2.5 to three times the amount that could be sought in administrative proceedings.

84. As to the applicants' argument concerning the delay in the implementation of the pilot judgment, the Court observes that it was precisely for that reason that the Grand Chamber handed down the just satisfaction judgment in the *Kurić and Others* case and made an award of just satisfaction to the applicants. Within the context of a pilot-judgment procedure, it is not uncommon for a decision or a judgment striking out the "pilot" application on the basis of a friendly settlement (Article 37 § 1 (b) and Article 39) or awarding just satisfaction to the applicant(s) (Article 41) to be given before any – or any adequate – general measures have been adopted by the respondent State in the execution of a pilot judgment on the merits (Article 46 of the Convention – see *Broniowski* (friendly settlement), cited above, § 36; *Hutten-Czapska* (friendly settlement), cited above, § 34; and *Kurić and Others* (just satisfaction), cited above, § 135).

85. In these circumstances, the Court finds that the delay of five months in the adoption of the "Erased" Compensation Act after the expiry of the deadline indicated by the Grand Chamber had no significant influence on the assessment of the adequacy of general measures recently undertaken by the Committee of Ministers (see paragraphs 25 and 32 above). This situation is therefore not comparable with that addressed by the pilot-judgment procedure in the case of *Yuriy Nikolayevich Ivanov*, cited by the applicants (see paragraph 81 above), where the authorities have so far failed to carry out the requisite general measures and to fix the national dysfunction.

86. The Court takes due note of the fact that on 25 May 2016 the Committee of Ministers adopted the 2016 CM Final Resolution in the *Kurić and Others* pilot case, having satisfied itself that all the measures required by Article 46 § 1 had been adopted (see paragraph 32 above).

87. The Court cannot but endorse these conclusions of the Committee of Ministers.

88. It follows that the Court is satisfied that the system introduced by the respondent Government (and its functioning in practice) offers to other affected "erased" persons who have regularised their legal status in Slovenia reasonable prospects of receiving compensation for the damage caused by the systemic violation of their Convention rights.

3. Whether "the matter has been resolved" for the purposes of Article 37

89. It remains for the Court to determine whether, in view of the foregoing, "the matter has been resolved" within the meaning of Article 37 § 1 (b) of the Convention.

90. As stated above, it is a fundamental feature of the pilot-judgment procedure that the Court's assessment of whether the matter involved in the case has been resolved is not limited to relief afforded to an individual applicant and to solutions adopted in his or her case, but necessarily encompasses general measures applied by the State in order to resolve the general underlying defect in the domestic legal order identified in the pilot case as the source of the violation found (see *Hutten-Czapska* (merits), cited above, § 238, and *The Association of Real Property Owners in Łódź,* cited above, § 83).

91. The Court, in order to conclude that the matter raised in the pilot‑judgment follow-up applications "has been resolved" and that it is, therefore, legitimate to strike them out of its list of cases, must be satisfied that the remedial action taken by the respondent State in implementing the general measures indicated by the Court (including means of redress for the systemic violation) provided the applicants with relief at the domestic level, and that that relief renders the further examination of their cases no longer justified. In accordance with Article 37 § 1 *in fine*, the Court must also establish that there are no special circumstances regarding respect for human rights, as defined in the Convention and the Protocols thereto, which require the continued examination of those cases. Such a conclusion by the Court is, however, without prejudice to its decision, pursuant to Article 37 § 2, to restore at any time the applications to its list of cases if the circumstances, in particular failure to achieve continued compliance with the Court's pilot judgment on the part of the respondent State, so require (see *Wolkenberg and Others*, cited above, § 77; *E.G. and 175 Bug River applications*, cited above, §§ 25 and 28-29; and *The Association of Real Property Owners in Łódź*, cited above, § 84).

92. The main issue before the Court in the present case is whether or not, given the fact that the respondent State has enacted new legislation aimed, firstly, at securing the applicants their permanent residence permits and secondly, granting the applicants who have obtained their residence permits or Slovenian citizenship compensation for damage caused by the violation of their Convention rights, the Court is able to conclude that "the matter has been resolved" within the meaning of Article 37 § 1 (b) of the Convention. In its assessment, the Court will pay due regard to the 2016 CM Final Resolution (see paragraphs 25, 32 and 86 above)

93. The Court has already preliminarily held that the general solutions adopted by the respondent State in order to resolve the underlying systemic

problem identified in the pilot judgment have in general addressed, in a satisfactory manner, the previous lack of legal provisions enabling the "erased" to regularise their residential status in Slovenia and seek adequate redress there. It has found that this assessment remains valid within the context of the present case (see paragraph 76 above).

94. As regards redress for past damage suffered by persons affected by the defective domestic legislation and practice, the Court reiterates that under Article 41 of the Convention it may afford just satisfaction to the party injured by a violation of the Convention or the Protocols thereto if the internal law of the High Contracting Party concerned allows only partial reparation to be made. However, the Court shall do so only if "necessary".

95. The reference to the domestic system in Article 41 of the Convention reflects the subsidiarity principle on which the Convention system is founded; the national authorities have at their disposal a much wider range of legal and other measures capable of providing appropriate relief, tailored to the particular circumstances of a given case, whereas relief available in the international procedure before the Court is, in most situations, limited to a pecuniary award (see *The Association of Real Property Owners in Łódź*, cited above, § 86, and paragraph 71 above).

96. Within the framework of the pilot-judgment procedure – one of the essential characteristics of which is the incitement of the respondent State to introduce a remedy for all victims of a systemic violation (see paragraphs 51-53 above) – the responsibility for affording reparation is necessarily shifted back to the domestic authorities. The Court's principal task, as defined by Article 19 of the Convention, is "to ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto", the adjudication on awards under Article 41 being only accessory to this task. As a consequence – and having regard to the purpose of the pilot-judgment procedure (which, as stated above, is to assist States in resolving systemic problems at national level, thereby securing to the persons concerned their Convention rights and freedoms, as required by Article 1 of the Convention) – the Court's role after the delivery of the pilot judgment and after the State has taken remedial action in conformity with the Convention cannot be converted into that of providing individualised financial relief in each and every repetitive case arising from the same systemic situation (see *Wolkenberg and Others*, cited above, § 76, and *The Association of Real Property Owners in Łódź*, cited above, § 87; see also paragraph 53 above).

97. Having regard in particular to the 2016 CM Final Resolution, in which the Committee of Ministers satisfied itself that all the measures required by Article 46 § 1 had been adopted, the Court is satisfied that the "Erased" Compensation Act in principle constitutes an effective implementation of the ninth operative provision of the judgment on the merits in the *Kurić and Others* pilot case (see paragraphs 86-88 above).

98. In conclusion, the authorities have established a mechanism enabling the practical treatment of reparation claims for breaches of the Convention under Articles 8, 13 and 14 identified in the pilot case. This mechanism may be regarded as serving the same function as an award under Article 41 of the Convention (see, *mutatis mutandis*, *Broniowski* (friendly settlement), cited above, §§ 31 and 41; *Wolkenberg,* cited above, § 75; and *The Association of Real Property Owners in Łódź*, cited above, § 88).

99. In this context the Court notes with interest, in the light of the recommendations of the Commitee of Ministers of the Council of Europe and the Declarations adopted at the Council of Europe Conferences in Interlaken, Izmir, Brighton and Brussels, that the respondent State has fulfilled its responsibilities under the Convention system by resolving this type of problem at the domestic level, thus securing to the parties concerned the rights and freedoms defined in the Convention, as intended by Article 1 of the Convention. By proposing a solution for many individual cases arising from the same structural problem at the domestic level, the respondent State thus gave effect to the subsidiarity principle, which underpins the Convention system (see *Stella and Others*, decision cited above, § 43, and *Demiroğlu*, cited above).

100. In view of the foregoing, the Court holds that the matter giving rise to the present application and the remaining applications against Slovenia lodged by the "erased" where the applicants have regularised their legal status "has been resolved" for the purposes of Article 37 § 1(b) of the Convention and that it is no longer justified to continue the examination of these cases.

101. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights, as defined in the Convention and its Protocols, which require the continued examination of the case.

102. However, the Court would stress that this conclusion does not prejudice its decision to restore, pursuant to Article 37 § 2, the present, or any other similar application, to the list of cases if the circumstances, in particular the future functioning of the domestic *ad hoc* compensation scheme under the "Erased" Compensation Act, justify such a course, or to deal substantively with subsequent cases if the circumstances so justify (see *Wolkenberg and Others*, decision cited above, § 77; *E.G. and 175 Bug River applications*, decision cited above, § 29; and *The Association of Real Property Owners in Łódź*, decision cited above, § 84 and 90).

E. Consequences for the application of the pilot-judgment procedure

103. The Court considers that its task under Article 19 of the Convention has been essentially fulfilled. In these circumstances, the continued application of the pilot-judgment procedure initiated in the case of *Kurić*

and Others v. Slovenia is no longer justified. Consequently, the Court closes the pilot judgment in respect of those Slovenian cases lodged by the "erased" where the applicants have regularised their legal status. In this context, the Court draws attention to the general obligation of Contracting States to solve the structural problems underlying violations (see, *Broniowski v. Poland* (merits) [GC], no. 31443/96, § 191, ECHR 2004-V). Particular attention should therefore be paid by the national authorities to ensure that the "Erased" Compensation Act is applied in a manner that is in conformity with the Convention standards as far as both decisions of the administrative authorities and the future case-law of the Slovenian judiciary are concerned (see, *mutatis mutandis*, *Korenjak v. Slovenia* (dec.), no. 463/03, § 74, 15 May 2007).

For these reasons, the Court, unanimously,

1. *Decides* to strike the application out of its list of cases;

2. *Decides* to close the pilot-judgment procedure applied in the case of *Kurić and Others v. Slovenia* (no. 26828/06).

Done in English and notified in writing on 17 November 2016.

Marialena Tsirli
Registrar

András Sajó
President

APPENDIX

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
1.	Slobodan	ANASTASOV	SVN	27/07/1959	Bosilegrad	SER	SVN	25/2/1992	9y	23/2/2001
2.	Jelena	ANASTASOV	SVN	12/02/1984	Koper	SVN	SVN	25/2/1992	9y	23/2/2001
3.	Nataša	ANASTASOV	SVN	24/07/1988	Koper	SVN	SVN	25/2/1992	9y	23/2/2001
4.	Bogorotka	ANASTASOVA	SVN	14/10/1961	Kočani	MAC	SVN	25/2/1992	9y	23/2/2001
5.	Bogdan	AŠANIN	SVN	12/07/1951	Ljevoša Peć	SER	SER	25/2/1992	12y 7m	18/10/2004
6.	Svetislav	AŠANIN	SVN	05/06/1957	Peć	RKS	SVN	26/2/1992	9y 5m	16/8/2001
7.	Mirsad	BAJRIĆ	SVN	20/12/1983	Zagreb	CRO	SVN	26/2/1992	10y 6m	9/9/2002
8.	Mina	BAJRIĆ	SVN	17/01/1966	Kozluk	BIH	SVN	25/2/1992	7y 11m	24/1/2000
9.	Sandra	BAKIĆ	SVN	17/02/1988	Kranj	SVN	BIH	26/2/1992	21y	14/3/2013
10.	Nedžad	BEGANOVIĆ	SVN	26/01/1976	Teočak	BIH	SVN	26/2/1992	8y 8m	13/11/2000
11.	Renata	BENKO	SVN	26/08/1974	Zabok	CRO	SVN	12/10/1992	3y 4m	14/2/1996
12.	Stipo	BILANOVIĆ	SVN	13/08/1964	Kotor Varoš	BIH	CRO	26/2/1992	22y 7m	15/10/2014

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
13.	Dejan	BLAŽEVIĆ	SVN	05/10/1962	Koper	SVN	SVN	25/2/1992	11y	28/2/2003
14.	Savo	BORENOVIĆ	SVN	27/01/1966	Sanskimost	BIH	SVN	26/2/1992	4y 1m	1/4/1996
15.	Zvezdana	BOŠESKA (born Pajić)	SVN	17/08/1978	Ljubljana	SVN	SVN	26/02/1992	11y 3m	2/6/2003
16.	Mirka	BRANKOVIĆ	SVN	04/12/1962	Trnovo	BIH	BIH	26/2/1992	10y 7m	5/10/2002
17.	Fadila	BRKIĆ	SVN	10/07/1960	Humići	BIH	SVN	26/2/1992	12y 3m	2/6/2004
18.	Radmila	BURGIĆ	SVN	20/03/1973	Slovenj Gradec	SVN	SVN	26/2/1992	3y 7m	25/9/1995
19.	Biserka	CENER	SVN	03/09/1960	Varaždin	CRO	CRO	25/2/1992	10y 5m	6/8/2002
20.	Sanja	CILENŠEK (born Glušac)	SVN	02/06/1989	Ljubljana	SVN	SVN	26/2/1992	6y 6m	10/9/1998
21.	Goran	CVETKOVIĆ	SVN	15/10/1971	Leskovac	SER	SER	26/2/1992	21y 2m	20/5/2013
22.	Darjo	ČERNEKA	SVN	03/06/1966	Koper	SVN	SVN	26/2/1992	5y	26/2/1997
23.	Selvedina	ĆORALIĆ (born Jusufagić)	SVN	19/04/1989	Ljubljana	SVN	SVN	25/2/1992	7y 11m	14/1/2000
24.	Zoran	ĆUĆIĆ	SVN	01/05/1968	Kulaši	BIH	BIH	25/2/1992	9y 6m	19/9/2001
25.	Dragan	ĆULUM	SVN	11/07/1987	Ljubljana	SVN	BIH	26/2/1992	20y 4m	20/6/2012
26.	Dušan	DABIŽLJEVIĆ	SVN	25/11/1961	Kuzmin	SER	SVN	26/2/1992	9y 7m	7/7/2004

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
27.	Petar	DEVIĆ	SVN	28/02/1963	Donja Paklenica	BIH	SVN	25/2/1992	9y 11m	28/1/2002
28.	Velinka	DEVIĆ	SVN	14/11/1964	Gornja Paklenica	BIH	SVN	25/2/1992	9y 11m	13/12/1999
29.	Mensur	DINDIĆ	SVN	31/12/1986	Jesenice	SVN	SVN	26/2/1992	6y 6m	24/08/1998
30.	Mediha	DINDIĆ	SVN	20/12/1982	Jesenice	SVN	SVN	26/2/1992	6y 6m	24/8/1998
31.	Fatima	DINDIĆ	SVN	24/10/1960	Sarajevo	BIH	SVN	26/2/1992	6y 6m	24/8/1998
32.	Mesud	DINDIĆ	SVN	22/07/1956	Dubrave	BIH	SVN	26/2/1992	8y 8m	3/5/2000
33.	Gordana	DINIĆ	SVN	29/07/1953	Leskovac	SER	SVN	26/2/1992	1y 11m	26/1/1994
34.	Ćazim	DIZDAREVIĆ	SVN	28/07/1955	Bosanska Krupa	BIH	BIH	20/6/1995	17y 10m	15/4/2013
35.	Petar	DJAKOVIĆ	SVN	22/09/1963	Mrkonjić Grad	BIH	SVN	26/2/1992	6y 10m	29/12/1998
36.	Snežana	DJAKOVIĆ	SVN	23/05/1966	Banja Luka	BIH	SVN	26/2/1992	8y 6m	18/9/2000
37.	Drago	DJAKOVIĆ	SVN	27/09/1966	Vilusi	BIH	BIH	26/2/1992	8y 2m	26/4/2000
38.	Siniša	DJAKOVIĆ	SVN	24/09/1989	Kranj	SVN	SVN	26/2/1992	8y 6m	18/9/2000
39.	Jelena	DJAKOVIĆ	SVN	17/04/1990	Kranj	SVN	SVN	26/2/1992	7y 3m	21/5/1999
40.	Brana	DJAKOVIĆ	SVN	19/07/1964	Sanskimost	BIH	SVN	26/2/1992	7y 3m	21/5/1999

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
41.	Snježana	DJUKIĆ	SVN	15/08/1970	Teslić	BIH	SVN	26/2/1992	7y 3m	26/5/1999
42.	Gordana	DRAGOSAVAC	SVN	02/06/1965	Ključ	BIH	SVN	25/2/1992	8y 7m	12/10/2000
43.	Halil	DURAKOVIĆ	SVN	31/05/1950	Trpezi	MNE	MNE	25/2/1992	10y 6m	2/9/2002
44.	Milena	ĐORĐEVIĆ	SVN	05/11/1959	Kladanj	BIH	BIH	26/2/1992	12y 7m	18/10/2004
45.	Dragan	ĐORĐEVIĆ	SVN	28/10/1985	Ljubljana	SVN	SER	26/2/1992	18y 5m	11/8/2010
46.	Stanimir	ĐUKIĆ	SVN	10/07/1961	Mitrovići	BIH	SVN	26/2/1992	7y	22/3/1999
47.	Radmila	ĐUKIĆ	SVN	02/08/1962	Doboj	BIH	SVN	26/2/1992	6y 1m	10/4/1998
48.	Dalibor	ĐUKIĆ	SVN	25/12/1985	Doboj	BIH	SVN	26/2/1992	6y 1m	10/4/1998
49.	Danijel	ĐUKIĆ	SVN	05/03/1984	Doboj	BIH	SVN	26/2/1992	6y 1m	10/4/1998
50.	Almir	FELIĆ	SVN	26/02/1985	Jesenice	SVN	SVN	26/2/1992	13y 7m	9/2005
51.	Nikola	FILIPOVIĆ	SVN	22/05/1948	Kobišnica	SER	SVN	26/2/1992	7y 6m	7/9/1999
52.	Staka	GAJANIĆ	SVN	28/02/1946	Štrpci	BIH	SVN	26/2/1992	10y 9m	4/12/2002
53.	Mara	GLAMOČANIN	SVN	08/11/1976	Ljubljana	SVN	SVN	26/2/1992	1y 7m	15/10/1993
54.	Milan	GLAMOČANIN	SVN	25/09/1977	Ljubljana	SVN	SVN	26/2/1992	1y 7m	15/10/1993
55.	Ranko	GNJATOVIĆ	SVN	27/08/1962	Ključ	BIH	SVN	26/2/1992	8y 4m	17/7/2000
56.	Gojko	GOGIĆ	SVN	22/08/1954	Tramošnja	BIH	SVN	26/2/1992	10y 8m	25/10/2002

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
57.	Samanta	GRAAF (born Sadik)	SVN	14/07/1988	Ljubljana	SVN	?	26/2/1992	19y 3m	16/5/2011
58.	Novak	GRGUR	SVN	25/01/1952	Plužine	MNE	SVN	25/2/1992	8y 8m	14/11/2000
59.	Milan	GRGUR	SVN	05/03/1988	Celje	SVN	SVN	25/2/1992	8y 8m	14/11/2000
60.	Tanja	GRGUR	SVN	05/03/1990	Celje	SVN	SVN	25/2/1992	8y 8m	14/11/2000
61.	Ida	HALILAGIĆ (born Toromanović)	SVN	08/06/1982	Ljubljana	SVN	SVN	26/2/1992	7y 3m	4/6/1999
62.	Neđad	HALILOV	SVN	20/07/1973	Jesenice	SVN	SVN	26/2/1992	8y 6m	30/8/2000
63.	Marija	HAMER	SVN	28/09/1957	Kamensko	CRO	CRO	25/2/1992	10y 1m	25/3/2002
64.	Perina	HVALA	SVN	18/03/1965	Doboj	BIH	SVN	26/2/1992	6y 1m	10/4/1998
65.	Ramiz	IKANOVIĆ	SVN	12/05/1956	Banovići	BIH	SVN	25/2/1992	10y 3m	12/6/2002
66.	Vukoje	IKIĆ	SVN	20/02/1962	Azbresnica	SER	SVN	25/2/1992	7y 11m	21/1/2000
67.	Zoran	ILIĆ	SVN	21/10/1966	Zvornik	BIH	SVN	26/2/1992	6y 11m	10/2/1999
68.	Nataša	ILIĆ	SVN	10/02/1965	Bijelo Polje	MNE	SVN	26/2/1992	7y 5m	23/7/1999
69.	Robert	IVANOV	SVN	11/01/1968	Kratovo	MAC	MAC	26/2/1992	13y 7m	26/9/2005
70.	Violeta	JAKIMOVSKI	SVN	14/12/1972	Slovenj Gradec	SVN	SVN	26/2/1992	4y 4m	18/7/1996

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71.	Dušan	JEREMIĆ	SVN	24/06/1959	Vasiljevci	BIH	BIH	26/2/1992	18y 7m	2/10/2010
72.	Marko	JOSIĆ	SVN	21/04/1962	Dragunja Donja	BIH	CRO	26/2/1992	10y 3m	20/5/2002
73.	Perica	JOSIFOVSKI	SVN	26/06/1958	Kumanovo	MAC	SVN	26/2/1992	15y 7m	26/9/2007
74.	Slavko	JOVANOVIĆ	SVN	21/04/1953	Sanjski most	BIH	BIH	26/2/1992	4y 1m	9/4/1996
75.	Vasva	JUSUFAGIĆ	SVN	01/10/1970	Veliki Dubovik	BIH	SVN	25/2/1992	7y 11m	14/1/2000
76.	Rizah	KALTAK	SVN	22/11/1959	Sanskimost	BIH	SVN	26/2/1992	3y 9m	11/12/1995
77.	Hasiba	KALTAK	SVN	07/11/1958	Sanskimost	BIH	BIH	26/2/1992	6y 9m	25/11/1998
78.	Husein	KANANOVIĆ	SVN	26/09/1958	Ključ	BIH	BIH	26/2/1992	20y 11m	4/2/2013
79.	Đuro	KARANOVIĆ	SVN	11/09/1945	Drvar	BIH	SVN	26/2/1992	9y 4m	10/7/2001
80.	Ramko	KAZIĆ	SVN	23/06/1956	Čaplje	BIH	SVN	26/2/1992	4y 3m	3/6/1996
81.	Amela	KAZIĆ	SVN	19/09/1990	Jesenice	SVN	SVN	26/2/1992	4y 3m	3/6/1996
82.	Alaga	KENDIĆ	SVN	28/03/1958	Velka Kladuša	BIH	BIH	26/2/1992	11y 1m	26/3/2003
83.	Tanja	KERANOVIĆ	SVN	16/03/1971	Ljubljana	SVN	SVN	26/2/1992	7y 2m	7/5/1999
84.	Nedeljko	KEREZOVIĆ	SVN	27/11/1953	Kneževo	BIH	BIH	26/2/1992	8y 2m	12/5/2000

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
85.	Dobrila	KLISARIĆ	SVN	01/11/1964	Dabovci	BIH	SVN	26/2/1992	9y 1m	18/4/2001
86.	Vitomir	KOJIĆ	SVN	19/03/1989	Kranj	SVN	SVN	26/2/1992	6y 5m	22/7/1998
87.	Stojanka	KOJIĆ	SVN	02/01/1970	Ukrnica	BIH	SVN	26/2/1992	6y 5m	22/7/1998
88.	Milorad	KOJIĆ	SVN	11/01/1939	Klenje	SER	SVN	27/11/1994	6y 11m	1/10/1998 (certificate of permanent residence), 22/10/2001 (citizenship)
89.	Josip	KOLEŠ	SVN	16/01/1953	Bratovski vrh	CRO	SVN	1/12/1992	3y 2m	16/2/1996
90.	Ivica	KOLEŠ	SVN	16/10/1983	Brežice	SVN	SVN	1/12/1992	3y 2m	16/2/1996
91.	Josip	KOLEŠ	SVN	23/11/1979	Zagreb	CRO	SVN	1/12/1992	3y 2m	16/2/1996
92.	Mirjana	KOLEŠ	SVN	15/11/1957	Kapelski vrh	CRO	SVN	1/12/1992	3y 2m	16/2/1996
93.	Bogdanka	KONDIĆ	SVN	14/06/1961	Obrovac	BIH	SVN	25/2/1992	8y 7m	13/10/2000
94.	Dragan	KONDIĆ	SVN	04/03/1955	Sanskimost	BIH	SVN	25/2/1992	0y 7m	5/10/1992
95.	Milena	KOSTIĆ	SVN	06/04/1967	Batak	BIH	SVN	26/2/1992	8y	25/2/2000

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96.	Jovo	KOVAČEVIĆ	SVN	29/09/1962	Ključ	BIH	SVN	26/2/1992	6y 4m	29/6/1998
97.	Jelena	KOVAČEVIĆ	SVN	24/04/1968	Banja Luka	BIH	SVN	26/2/1992	10y	27/2/2002
98.	Slađana	KOVAČEVIĆ	SVN	22/03/1990	Ljubljana	SVN	SVN	26/2/1992	6y 4m	22/6/1998
99.	Zorka	KREJIĆ	SVN	26/01/1953	Sokolovo	SER	SVN	26/2/1992	7y 11m 3 weeks	23/2/2000
100.	Smail	KUDIĆ	SVN	03/08/1951	Kudići	BIH	SVN	25/2/1992	11y 9m	18/12/2003
101.	Šefika	KUDIĆ	SVN	01/04/1956	Todorovo	BIH	SVN	19/12/1992	11y	18/12/2003
102.	Aladin	KUDIĆ	SVN	13/06/1979	Ljubljana	SVN	SVN	19/12/1992	11y	10/1/2003
103.	Jelena	KUNEŠEVIĆ	SVN	03/05/1932	Bijeljina	BIH	BIH	26/2/1992	3y 10m	28/12/1995
104.	Cvjetko	KUNEŠEVIĆ	SVN	24/06/1936	Bijeljina	BIH	BIH, SVN	25/2/1992	2y 2m	9/5/1994
105.	Dragan	KUTLAČIČ	SVN	27/06/1984	Ljubljana	SVN	SVN	26/2/1992	6y 4m	19/6/1998
106.	Perica	KUTLAČIČ	SVN	18/01/1976	Bijeljina	BIH	SVN	26/2/1992	11y 8m	10/11/2003
107.	Ljiljana	KUTLAČIČ	SVN	06/09/1957	Bijeljina	BIH	SVN	26/2/1992	6y 4m	19/6/1998
108.	Nedeljka	KUZMANOVIĆ	SVN	31/12/1967	Prnjavor	BIH	SVN	25/2/1992	8y 9m	13/12/2000
109.	Jagoda	LAZIĆ	SVN	10/09/1967	Ljeb	BIH	SVN	26/2/1992	12y 10m	29/12/2004
110.	Suzana	LAZIĆ	SVN	03/02/1983	Celje	SVN	SVN	25/2/1992	9y 1m	11/04/2001

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111.	Dragan	LEBURIĆ	SVN	19/01/1974	Banja Luka	BIH	SVN	26/2/1992	6y 2m	08/05/1998
112.	Dušanka	LESNIK	SVN	28/08/1949	Dobra Kuća	CRO	SVN	24/11/1992	7y 6m	16/06/2000
113.	Persa	LOVRIĆ	SVN	11/08/1969	Banja Luka	BIH	SVN	25/2/1992	9y 3m	18/06/2001
114.	Nada	MAKARIĆ	SVN	25/05/1967	Imljani	BIH	SVN	26/2/1992	8y	16/02/2000
115.	Zlatko	MAKARIĆ	SVN	19/11/1988	Kranj	SVN	SVN	26/2/1992	8y	16/02/2000
116.	Veseljko	MAKARIĆ	SVN	22/03/1962	Imljani	BIH	SVN	26/2/1992	8y	16/02/2000
117.	Veseljko	MAKARIĆ	SVN	17/02/1963	Imljani	BIH	SVN	26/2/1992	8y	09/02/2000
118.	Stana	MARIĆ	SVN	04/09/1961	Ključ	BIH	SVN	25/2/1992	6y 9m	27/11/1998
119.	Marinka	MARIĆ	SVN	09/06/1983	Jesenice	SVN	SVN	25/2/1992	5y 6m	20/08/1997
120.	Stanislav	MARIĆ	AUT	20/11/1980	Jesenice	SVN	SVN	25/2/1992	5y 6m	20/08/1997
121.	Zdravka	MARIĆ (born Djukić)	SVN	21/11/1974	Teslić	BIH	SVN	25/2/1992	8y 4m	17/07/2000
122.	Djurdjija	MARKOVIĆ	SVN	12/05/1946	Bijeljina	BIH	SVN	17/6/1993	2y 2m	18/08/1995
123.	Trišo	MIJATOVIĆ	SVN	08/01/1959	Bijeljina	BIH	BIH	26/2/1992	5y 6m	17/09/1997
124.	Radovan	MIKAČA	SVN	28/01/1953	Drugovići	BIH	SVN	26/2/1992	3y 1m	07/04/1995
125.	Mile	MILJETOVIĆ	SVN	10/06/1954	Kršlje	BIH	BIH	26/2/1992	5y	19/03/1997
126.	Radovan	MIŠKOVIĆ	SVN	10/10/1957	Ključ	BIH	SVN	25/2/1992	8y 4m	14/07/2000

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
127.	Zoran	MITROVIĆ	SVN	20/12/1967	D/Lokanj	BIH	SVN	26/2/1992	8y 5m	16/08/2000
128.	Staka	MITROVIĆ	SVN	02/09/1964	Doboj	BIH	SVN	26/2/1992	8y 5m	16/08/2000
129.	Mira	MURŠIČ	SVN	21/04/1963	Prhovec	CRO	SVN	26/2/1992	5y 11m	06/01/1998
130.	Safete	MUSTAFA	SVN	19/03/1970	Ljubožda	SER	SVN	5/7/1992	7y 8m	13/03/2000
131.	Miroslav	NIKOLIĆ	SVN	14/07/1952	Niš	SER	SVN	26/2/1992	5y 5m	07/08/1997
132.	Bojan	OBRADOVIĆ	SVN	07/12/1987	Kranj	SVN	SVN	26/2/1992	12y 3m	17/7/2004
133.	Nebojša	OBRADOVIĆ	SVN	09/08/1986	Kranj	SVN	SVN	26/2/1992	12y 3m	17/7/2004
134.	Ljubinko	PAJIĆ	SVN	21/11/1949	Bijeljina	BIH	SVN	25/2/1992	8y 3m	29/05/2000
135.	Milka	PAJIĆ	SVN	07/03/1954	Bijeljina	BIH	BIH	26/2/1992	14y 8m	16/11/2006
136.	Mirko	PANIĆ	SVN	13/10/1962	Teslić	BIH	BIH	26/2/1992	6y 11m	29/01/1999
137.	Danijela	PANIĆ	SVN	25/04/1985	Ljubljana	SVN	SVN	26/2/1992	6y 2m	14/05/1998
138.	Miloš	PANIĆ	SVN	30/08/1990	Ljubljana	SVN	SVN	26/2/1992	7y 9m	22/12/1999
139.	Milovan	PANTELIĆ	SVN	12/06/1989	Ljubljana	SVN	SVN	26/2/1992	1y 8m	12/11/1993
140.	Hašim	PAŠALIĆ	SVN	31/08/1964	Prijedor	BIH	BIH	8/11/1993	9y 11m	09/10/2003
141.	Šemso	PAŠIĆ	SVN	25/03/1961	Bosanska nova	BIH	BIH	25/2/1992	10y 1m	15/04/2002

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142.	Senada	PAUNOVIĆ	SVN	01/02/1949	Bosanski Novi	BIH	SVN	26/2/1992	6y 9m	23/11/1998
143.	Ivan	PAVEŠIĆ	SVN	07/03/1938	Miholjanec	CRO	SVN	25/2/1992	6y 6m	01/07/1999
144.	Sladjana	PAVEŠIĆ	SVN	16/03/1943	Kusić	SER	SVN	25/2/1992	6y 6m	01/07/1999
145.	Orelia	PAVLIČ	SVN	28/07/1956	Umag	CRO	SVN	26/2/1992	3y 11m	17/01/1996
146.	Enisa	PEJČIĆ (born Bajrić)	SVN	19/05/1990	Ljubljana	SVN	SVN	25/2/1992	7y 11m	10/02/2000
147.	Draginja	PEPIĆ	SVN	10/12/1960	Donji Skugrić	BIH	SVN	26/2/1992	6y 3m	08/06/1998
148.	Cvijeta	PETROVIĆ (born Panić)	SVN	20/04/1973	Ugodnović	BIH	SVN	25/2/1992	8y 6m	13/09/2000
149.	Slobodan	PEULIĆ	SVN	10/09/1964	Gornji Vijačani	BIH	Unkn own or state-less	25/2/1992	8y 8m	13/11/2000
150.	Slavko	PLAVŠIĆ	SVN	20/06/1964	Ključ	BIH	SVN	26/2/1992	8y 7m	06/10/2000
151.	Snežana	PLAVŠIĆ	SVN	01/08/1970	Bijeljina	BIH	SVN	26/2/1992	8y 7m	27/09/2000

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
152.	Dejan	PLAVŠIĆ	SVN	29/07/1988	Ljubljana	SVN	SVN	25/2/1992	8y 7m	18/10/2000
153.	Mileva	PRAŠTALO	SVN	02/02/1942	Lipnik, Sanski Most	BIH	SVN	26/2/1992	2y 3m	13/06/1994
154.	Damjan	RAČIĆ	SVN	24/08/1989	Ljubljana	SVN	SVN	26/2/1992	6y 7m	24/09/1998
155.	Slađana	RADIĆ	SVN	06/06/1977	Postojna	SVN	SVN	26/2/1992	3y 3m	05/06/1995
156.	Jovana	RADOŠEVIĆ (born Ćurguz)	SVN	02/06/1984	Ljubljana	SVN	BIH	26/2/1992	8y 5m	31/07/2000
157.	Vinko	RATKOVIĆ	SVN	25/11/1959	Banja Luka	BIH	BIH	26/2/1992	21y 3m	13/06/2013
158.	Igor	RATKOVIĆ	SVN	17/09/1989	Celje	SVN	BIH	26/2/1992	13y 3m	16/06/2005
159.	Mira	RATKOVIĆ	SVN	09/01/1964	Banja Luka	BIH	BIH	26/2/1992	13y 3m	16/06/2005
160.	Emina	REDŽIĆ (born Kazić)	AUT	07/11/1985	Jesenice	SVN	SVN	26/2/1992	4y 3m	03/06/1996
161.	Tamara	RISTIĆ	SVN	28/03/1980	Ljubljana	SVN	SVN	26/2/1992	7y 11m	09/02/2000
162.	Cvetko	RISTIĆ	SVN	05/02/1945	Sušiče (Uroševac)	RKS	SVN	26/2/1992	10y	08/03/2002

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Nationality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
163.	Orfej	RUDEK (born Sadik)	SVN	04/01/1971	Skopje	MAC	unknown or state-less	26/2/1992	20y 7m	17/10/2012
164.	Kemalj	SADIK	SVN	28/12/1950	Skopje	MAC	MAC, SVN	26/2/1992	10y 1m	05/04/2002
165.	Servet	SAITI	SVN	16/12/1962	Peč	RKS	SVN	26/2/1992	8y 9m	11/12/2000
166.	Dušanka	SAVIĆ	SVN	08/09/1956	Štupelj	SER	unknown or state-less	26/2/1992	20y 4m	21/06/2012
167.	Najden	SAVIĆ	SVN	08/05/1955	Svrljig	SER	SER	26/2/1992	20y 4m	21/06/2012
168.	Sabino	SEJDINOVIĆ	SVN	15/04/1989	Slovenj Gradec	SVN	SVN	26/2/1992	8y 7m	11/10/2000
169.	Marina	SMRDEL (born Lazarević)	SVN	07/12/1986	Postojna	SVN	SVN	26/2/1992	6y 3m	10/06/1998
170.	Pero	SRDIĆ	SVN	19/07/1960	Popovac	BIH	BIH	26/2/1992	19y 9m	25/11/2011
171.	Milena	STANIĆ	SVN	20/12/1956	Mrkonjić Grad	BIH	SVN	26/2/1992	6y 3m	06/07/1998

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
172.	Dragan	STANKOVIĆ	SVN	25/03/1968	Jagnjilo	SER	SER	8/1/1992	18y 11m	27/12/2010
173.	Nastja	STARČEVIĆ DEVIĆ	SVN	12/10/1987	Postojna	SVN	SVN	25/2/1992	7y 9m	13/12/1999
174.	Mara	STOJANOVIĆ	SVN	15/08/1966	Kulaši	BIH	SVN	26/2/1992	9y 11m	24/01/2002
175.	Brankica	STOJANOVIĆ	SVN	20/01/1990	Ljubljana	SVN	SVN	26/2/1992	9y 11m	24/01/2002
176.	Blagoja	STOJANOVIĆ	SVN	10/04/1962	Bijeljina	BIH	SVN	26/2/1992	9y 11m	24/01/2002
177.	Miloje	STOJKOVIĆ	SVN	12/10/1949	Peć	SER	SER	3/12/1992	16y 4m	11/03/2009
178.	Stana	STOKANIĆ	SVN	22/10/1955	Kotor Varoš	BIH	SVN	26/2/1992	4y 3m	17/06/1996
179.	Ragip	ŠAHMANOVIĆ	SVN	05/03/1959	Brezojevice	MNE	SVN	26/2/1992	10y 2m	15/05/2002
180.	Emil	ŠAKANOVIĆ	SVN	01/05/1983	Kranj	SVN	SVN	26/2/1992	10y 4m	17/07/2002
181.	Elmedina	ŠARIĆ (born Kazić)	SVN	20/04/1984	Jesenice	SVN	SVN	26/2/1992	4y 3m	03/06/1996
182.	Katarina	ŠČAVNIČAR	SVN	29/09/1985	Kranj	SVN	SVN	26/2/1992	2y 3m	01/06/1994
183.	Tanja	ŠČAVNIČAR	SVN	20/11/1980	Kranj	SVN	SVN	26/2/1992	2y 3m	01/06/1994
184.	Renata	ŠČAVNIČAR	SVN	24/08/1979	Kranj	SVN	SVN	26/2/1992	2y 3m	01/06/1994
185.	Danica	ŠČAVNIČAR	SVN	22/05/1953	Duga resa	CRO	SVN	26/2/1992	2y 3m	01/06/1994
186.	Stjepan	ŠČAVNIČAR	SVN	14/04/1956	Čakovec	CRO	SVN	26/2/1992	2y 3m	01/06/1994

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
187.	Damir	ŠEKIĆ	SVN	07/11/1983	Ljubljana	SVN	SVN	26/2/1992	11y 4m	02/07/2003
188.	Slobodanka	ŠKORIĆ	SVN	22/07/1965	Gornji Bušević, Bosanska Krupa	BIH	SVN	26/2/1992	2y 11m	30/01/1995
189.	Nada	ŠTRKIĆ	SVN	20/03/1960	Rekavice	BIH	BIH	26/2/1992	13y 6m	29/08/2005
190.	Zoran	ŠUŠNJAR	SVN	17/07/1963	Višegrad	BIH	SVN	26/2/1992	9y	14/02/2001
191.	Mirko	TODOROVIĆ	SVN	21/05/1962	Tešanj	BIH	BIH	26/2/1992	21y 5m	10/07/2013
192.	Mladenko	TOMAŠ	SVN	11/05/1969	Prisika	BIH	CRO, SVN	25/2/1992	8y 11m	03/01/2001
193.	Tonči	TOMIĆ	SVN	27/08/1955	Split	CRO	CRO	26/2/1992	14y 6m	30/08/2006
194.	Biljana	TOPIĆ	SVN	21/04/1960	Banja Luka	BIH	SVN	16/4/1993	9y 3m	2/8/2002
195.	Minka	TOROMANOVIĆ	SVN	04/08/1953	Kotor Varoš	BIH	SVN	26/2/1992	7y 8m	27/10/1999
196.	Džinka	TRAKO	SVN	12/08/1962		SVN	BIH	26/2/1992	19y 3m	10/06/2011
197.	Ružica	TRIVALIĆ	SVN	05/04/1953	Vratišinec	CRO	SVN	26/2/1992	6y 8m	20/10/1998
198.	Radosav	TUFEGDŽIĆ	SVN	10/04/1949	Stabna	MNE	SVN	26/2/1992	11m	13/02/1993
199.	Darko	UJIĆ	SVN	24/02/1972	Sokolac	BIH	SVN	26/2/1992	10y 9m	09/12/2002
200.	Abdulah	VARMAZ	SVN	03/01/1950	Prijedor	BIH	SVN	8/1/1992	5y 9m	13/10/1997

Nº.	First name	LAST NAME	State of resi-dence	Date of birth	Place of birth	State of birth	Natio nality	Date of erasure	Period of unregu-larised status in Slovenia	Date of permanent residence or citizenship
201.	Miladin	VASILJEVIĆ	SVN	14/12/1962	Bijeljina	BIH	BIH	26/2/1992	17y 6m	10/09/2009
202.	Božo	VIDAKOVIĆ	SVN	11/07/1952	Radovljica	SVN	SVN	26/2/1992	1y 9m	23/11/1993
203.	Božana	VIDOVIĆ	SVN	21/10/1964	Bosanska Gradiška	BIH	SVN	26/2/1992	6y 3m	10/06/1998
204.	Gojko	VIDOVIĆ	SVN	24/09/1961	Bosanska Gradiška	BIH	BIH	26/2/1992	9y	28/02/2001
205.	Milica	VUJIĆ	SVN	08/11/1935	Kikinda	SER	SER	25/2/1992	8y 3m	01/06/2000
206.	Zlatomir	VULOVIĆ	SVN	28/09/1961	Sjenica	SER	SVN	26/2/1992	5y	07/03/1997
207.	Ekrem	ZEČEVIĆ	SVN	29/06/1960	Ključ	BIH	SVN	25/2/1992	7y 11m	09/02/2000
208.	Anka	ZELENOVIĆ	SVN	19/01/1956	Bijeljina	BIH	SVN, BIH	25/2/1992	0y 5m	17/07/1992
209.	Vukašin	ZELENOVIĆ	SVN	24/03/1950	Bijeljina	BIH	SVN, BIH	25/2/1992	0y 5m	17/07/1992
210.	Egidio	ZUGAN	SVN	06/07/1965	Koper	SVN	SVN	26/2/1992	4y 4m	01/07/1996
211.	Miroslav	ZUGAN	SVN	17/01/1971	Koper	SVN	SVN	26/2/1992	4y 4m	01/07/1996
212.	Dobrivoje	ŽIVIĆ	SVN	09/04/1954	Klina	RKS	SVN	25/2/1992	8y 7m	18/10/2000