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

THIRD SECTION

DECISION

Application no. 4281/14
Jovan BILIĆ
against Serbia

The European Court of Human Rights (Third Section), sitting on 2 February 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 12 December 2013,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Jovan Bilić, is a Serbian national who was born in 1957 and lives in Belgrade. He was represented before the Court by Ms T. Petrović and Mr P. Jankovic, lawyers practising in Belgrade.

The Serbian Government ("the Government") were represented by their Agent, Ms V. Rodić.

The applicant complained under Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention about the respondent State's failure to enforce the final court decision of the Second Belgrade Municipal Court of 27 May 2005 rendered in his favour, according to which a socially/State-owned company was ordered to pay him certain sum. This court decision remains unenforced to the present day.

On 27 February 2015 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Serbia in respect of the facts giving rise to this application

against an undertaking by the Government to pay him 2,000 euros, less any amounts which may have already been paid in that regard at the domestic level, to cover any non-pecuniary damage as well as costs and expenses, which would be converted into local currency at the rate applicable on the date of payment, and would be free of any taxes that may be applicable. This sum would be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay this sum within the said three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The parties, furthermore, agreed that within the said three-month period the Government would pay, from their own funds, the sum awarded in the domestic decision under consideration in the present case, less any amounts which may have already been paid on the basis of the said decision, plus the costs of the domestic enforcement proceedings. This payment will constitute the final resolution of the case pending before the European Court of Human Rights.

THE LAW

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 application. In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 3 March 2016.

Marialena Tsirli
Deputy Registrar

Helena Jäderblom
President