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

SECOND SECTION

DECISION

Applications nos. 68001/14 and 28644/15
Valbona ČAKOLI against Croatia
and Zoran FILKOVIĆ against Croatia

The European Court of Human Rights (Second Section), sitting on 8 November 2016 as a Committee composed of:

Paul Lemmens, *President,*
Ksenija Turković,
Jon Fridrik Kjølbro, *judges,*

and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above applications lodged on 7 October 2014 and 9 June 2015,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The first applicant, Ms Valbona Čakoli, is a national of Kosovo[1], who was born in 1981 and lives in Rijeka. She was represented before the Court by Ms M. Turnšek, an advocate practising in Rijeka.

The second applicant, Mr Zoran Filković, is a Croatian national, who was born on 3 February 1969 and lives in Slatina. He was represented before the Court by Mr M. Omerović, an advocate practising in Slatina.

The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

The applicants complained under Article 6 § 1 of the Convention about the excessive length of civil (the first applicant) and enforcement

[1] All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

proceedings (the second applicant). The second applicant also complained under Article 13 of the Convention about the ineffectiveness of the domestic length-of-proceedings remedies.

On the dates set out in the appendix, the parties signed friendly settlement declarations, under which each applicant agreed to waive any further claims against Croatia in respect of the facts giving rise to his or its application against an undertaking by the Government to pay them sums set out in the appendix to cover any non-pecuniary damage as well as costs and expenses. The amounts will be converted into Croatian kunas at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. Each sum will 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 sums within the said three-month period, the Government undertook to pay simple interest on each unpaid sum, 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 payment will constitute the final resolution of the cases.

THE LAW

Given that the two applications at hand concern the same facts and complains and raise identical issues under the Convention, the Court decides to join them, pursuant to Rule 42 § 1 of the Rules of the Court.

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 cases 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.

Done in English and notified in writing on 1 December 2016.

Hasan Bakırcı
Deputy Registrar

Paul Lemmens
President

APPENDIX

No.	Application No.	Applicant name and date of birth	Date of the applicant's friendly-settlement declaration	Date of Government's friendly-settlement declaration	Friendly settlement sum (in euros)
1.	68001/14	**Valbona ČAKOLI** 26/10/1981	12/09/2016	15/09/2016	1,853
2.	28644/15	**Zoran FILKOVIĆ** 03/02/1969	14/07/2016	15/09/2016	5,725