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

SECOND SECTION

DECISION

Application no. 26340/12
Borivoje ČEPERKOVIĆ against Serbia
and 101 other applications
(see list appended)

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

Paulo Pinto de Albuquerque, *President*,
Dragoljub Popović,
Helen Keller, *judges*,

and Stanley Naismith, *Section Registrar*.

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

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

A list of the applicants is set out in the appendix. They are all Serbian nationals and were represented by Mr M. Moskovljević, a lawyer practicing in Kruševac.

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

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

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

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

The declaration provided as follows:

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

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

THE LAW

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

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

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination of the applications. In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court unanimously

Decides to join the applications;

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

Stanley Naismith
Registrar

Paulo Pinto de Albuquerque
President

APPENDIX

No	Application No	Applicant Date of birth Place of residence
1.	26340/12	**Borivoje ČEPERKOVIĆ** 18/05/1945 selo Mačkovac
2.	26343/12	**Milan ŠULOVIĆ** 28/10/1944 selo Žabare
3.	26345/12	**Mileva ŠĆEPANOVIĆ** 19/10/1956 Kruševac
4.	26348/12	**Nenad ŠLJUBURA** 04/12/1972 Kruševac
5.	26351/12	**Danica ZAVIŠIĆ** 02/10/1973 Kruševac
6.	26362/12	**Miroslav DAVIDOVIĆ** 05/10/1951 selo Bošnjane
7.	26363/12	**Dragica MILENKOVIĆ** 25/10/1957 Kruševac
8.	26364/12	**Voja MILIĆEVIĆ** 13/07/1951 selo Koševi

No	Application No	Applicant Date of birth Place of residence
9.	26367/12	**Ljubodrag MILIVOJEVIĆ** 24/07/1949 selo Bela Voda
10.	26369/12	**Stanka STOJKOVSKA** 14/04/1958 Kruševac
11.	26395/12	**Ljiljana VELJKOVIĆ** 10/03/1954 Kruševac
12.	26415/12	**Nenad JANKOVIĆ** 01/08/1951 selo Dedina
13.	26427/12	**Milena JEVTIĆ** 18/07/1955 Kruševac
14.	26432/12	**Saša MILENKOVIĆ** 31/10/1975 selo Sebečevac
15.	26438/12	**Dragan ĐURĐEVIĆ** 21/10/1941 selo Kaonik
16.	26446/12	**Milenko BLAŽIĆ** 15/09/1954 Kruševac
17.	26517/12	**Dejan VOJINOVIĆ** 26/08/1955 selo Kukljin
18.	26521/12	**Borivoje ANTIĆ** 30/04/1952

No	Application No	Applicant Date of birth Place of residence
		Kruševac
19.	26523/12	**Živomir ANĐELKOVIĆ** 09/01/1952 selo Mačkovac
20.	26526/12	**Slobodan MARKOVIĆ** 14/11/1954 Kruševac
21.	26527/12	**Vlastimir DESPOTOVIĆ** 27/03/1943 Kruševac
22.	26529/12	**Dragoslava BURSAĆ** 11/03/1946 Kruševac
23.	26540/12	**Milutin DELJANIN** 25/05/1955 selo Kaonik
24.	26542/12	**Ljubomir MILIĆ** 08/11/1944 Kruševac
25.	26548/12	**Dejan RAJKOVIĆ** 22/10/1972 Kruševac
26.	26550/12	**Desanka RADOJKOVIĆ** 13/09/1950 Kruševac
27.	26556/12	**Radomir PAVLOVIĆ** 06/04/1946 selo Razbojna

No	Application No	Applicant Date of birth Place of residence
28.	26562/12	**Lazar SMILJKOVIĆ** 16/02/1942 selo Šogolj
29.	26566/12	**Sava STOJKOVIĆ** 17/01/1948 Kruševac
30.	26573/12	**Stanimir ANTIĆ** 04/04/1943 Kruševac
31.	26575/12	**Milan AGATONOVIĆ** 14/07/1948 Kruševac
32.	26576/12	**Dragan AKSENTIJEVIĆ** 13/08/1950 selo Crkvina
33.	26578/12	**Radovan VUJIČIĆ** 29/11/1961 Kruševac
34.	26579/12	**Veroljub VELJKOVIĆ** 20/05/1955 selo Jasika
35.	26580/12	**Danijela VELIČKOVIĆ** 15/02/1971 Kruševac
36.	26582/12	**Života VASIĆ** 03/10/1938 selo Ćelije
37.	26583/12	**Gordana BISERČIĆ** 06/06/1954

No	Application No	Applicant Date of birth Place of residence
		Kruševac
38.	26584/12	**Radosav ALEKSIĆ** 06/09/1938 selo Đunis
39.	26588/12	**Dušanka ALEKSIĆ** 03/04/1944 selo Đunis
40.	26590/12	**Dragica AJKOVIĆ** 17/03/1952 Kruševac
41.	26592/12	**Nebojša ALIĆ** 14/02/1978 Kruševac
42.	26595/12	**Darko ALEKSIĆ** 16/02/1977 selo Mačkovac
43.	26597/12	**Radosav STANOJEVIĆ** 13/05/1960 Kruševac
44.	26601/12	**Radiša JEVTIĆ** 11/05/1946 selo Globoder
45.	26605/12	**Milivoje STAMENKOVIĆ** 04/06/1946 Kruševac
46.	26607/12	**Nikola ĆALOVIĆ** 07/07/1948 Kruševac

No	Application No	Applicant Date of birth Place of residence
47.	26613/12	**Zoran KOSTIĆ** 15/08/1947 Kruševac
48.	26632/12	**Stojanče RADULOVIĆ** 14/09/1950 Kruševac
49.	26641/12	**Ratko KUZMANOVIĆ** 20/12/1945 Kruševac
50.	26644/12	**Radoš NIKOLIĆ** 01/10/1951 selo Gornji Stepoš
51.	26647/12	**Danijel NIKOLIĆ** 13/12/1975 Kruševac
52.	26652/12	**Miloš NEDELJKOVIĆ** 03/06/1939 Kruševac
53.	26658/12	**Života MIĆIĆ** 30/04/1952 selo Vitanovac
54.	26662/12	**Mile MITROVIĆ** 06/10/1955 selo Bela Voda
55.	26664/12	**Milan MILOVANOVIĆ** 12/08/1954 selo Trmčare
56.	26668/12	**Ljubiša MILIĆEVIĆ** 21/08/1952

No	Application No	Applicant Date of birth Place of residence
		selo Zdravinje
57.	26669/12	**Mileta MILENKOVIĆ** 11/05/1940 selo Graševci
58.	26670/12	**Dušan MILENKOVIĆ** 25/01/1974 Kruševac
59.	26673/12	**Sreten MATIĆ** 06/09/1958 selo V. Kruševica
60.	26676/12	**Radoljub MILETIĆ** 16/08/1963 selo Šipovo
61.	26783/12	**Gordana MILOŠEVIĆ** 15/08/1973 selo Marešane
62.	26784/12	**Milomir MILJKOVIĆ** 20/03/1952 Kruševac
63.	26785/12	**Milivoje MIHAJLOVIĆ** 15/10/1940 Kruševac
64.	26786/12	**Dragiša MOMČILOVIĆ** 25/09/1941 selo Bregovina
65.	26787/12	**Vukašin NIKOLIĆ** 27/04/1947 Kruševac

No	Application No	Applicant Date of birth Place of residence
66.	26788/12	**Dragan OBRADOVIĆ** 31/01/1978 Lučina
67.	26789/12	**Dragan OBRADOVIĆ** 09/11/1971 selo Dvorane
68.	26902/12	**Stojko PAVLOVIĆ** 24/03/1945 selo Mudrakovac
69.	26904/12	**Radmila PERIĆ** 07/01/1948 Kruševac
70.	26907/12	**Milorad ERČEVIĆ** 06/09/1943 selo Trebotin
71.	26929/12	**Zoran GAJIĆ** 08/12/1946 selo Kaonik
72.	26932/12	**Mirko ĐURIĆ** 23/02/1942 selo Stalać
73.	26936/12	**Tomislav VELIČKOVIĆ** 31/08/1948 selo Đunis
74.	26940/12	**Slavica ALIĆ** 05/01/1954 Kruševac
75.	26946/12	**Novica ANĐELKOVIĆ** 04/01/1942

No	Application No	Applicant Date of birth Place of residence
		Kruševac
76.	26952/12	**Sunčica DAMNJANOVIĆ** 08/11/1966 Kruševac
77.	26954/12	**Damir BAHTIJAREVIĆ** 04/08/1969 Kruševac
78.	26958/12	**Dragoslav STANKOVIĆ** 01/05/1955 Kruševac
79.	26961/12	**Dragoljub STANKOVIĆ** 12/02/1945 Kruševac
80.	26963/12	**Tonka SIMUNOVIĆ** 16/10/1948 Kruševac
81.	26968/12	**Nebojša SPASIĆ** 17/04/1954 selo Čitluk
82.	26979/12	**Tomislav SIMIĆ** 20/06/1955 selo Donji Stepoš
83.	26983/12	**Živadinka SVRZIĆ** 26/02/1953 Kruševac
84.	26985/12	**Ljubiša SOVTIĆ** 24/02/1956 Kruševac

No	Application No	Applicant Date of birth Place of residence
85.	26990/12	**Ljubiša ČUKIĆ** 22/01/1946 selo Stalać
86.	26995/12	**Božin STEVANOVIĆ** 03/12/1948 Kruševac
87.	27000/12	**Milena RADOVANOVIĆ** 07/04/1953 Kruševac
88.	27001/12	**Novica SAVIĆ** 25/12/1951 selo Crkvina
89.	27005/12	**Slobodan PETROVIĆ** 24/12/1947 Kruševac
90.	27008/12	**Slobodan PETROVIĆ** 31/05/1944 Kruševac
91.	27013/12	**Živadin MILANOVIĆ** 03/11/1953 selo V.Lomica
92.	27021/12	**Dragan VUKOJEVIĆ** 05/08/1948 selo G. Stepoš
93.	27023/12	**Milutin GOGIĆ** 11/09/1948 Kruševac
94.	27025/12	**Milan ĆOSIĆ** 14/11/1940

No	Application No	Applicant Date of birth Place of residence
		Kruševac
95.	27029/12	**Zoran SALKOVIĆ** 30/07/1970 Kruševac
96.	27035/12	**Milomir NOVAKOVIĆ** 08/04/1952 selo Bogovan
97.	27042/12	**Milan ĐIDIĆ** 26/05/1947 Kruševac
98.	27044/12	**Zoran ĐORĐEVIĆ** 03/11/1957 selo Mačkovac
99.	27046/12	**Miljko RADOVANOVIĆ** 31/07/1948 selo Pepeljevac
100.	27048/12	**Miloš RADIVOJEVIĆ** 21/09/1956 Prokuplje
101.	27049/12	**Predrag NIKOLIĆ** 22/02/1949 selo Vučak
102.	27052/12	**Miroslav VUČKOVIĆ** 14/11/1948 selo Šošici