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

SECOND SECTION

DECISION

Application no. 57236/13
Gavro DRAGNIĆ and Nevenka DRAGNIĆ
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 application lodged on 7 August 2013,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Mr Gavro Dragnić and Ms Nevenka Dragnić, are Serbian nationals, who were born in 1945 and 1948 respectively and live in Sremčica (Serbia). They were represented before the Court, first by Ms L. Kušan, an advocate practising in Ivanić-Grad, and subsequently by Ms N. Owens from the law firm Owens and Houška, an advocate practising in Zagreb.

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 length of civil proceedings before the Constitutional Court.

On 30 December 2015 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Croatia in respect of the facts giving rise to this application against an undertaking by the Government to pay them

2,500 euros jointly to cover any and all pecuniary and non-pecuniary damage as well as costs and expenses, including any tax that may be chargeable to the applicants, which will be converted into the national currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It 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 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 payment will constitute the final resolution of the case.

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 1 December 2016.

Hasan Bakırcı
Deputy Registrar

Paul Lemmens
President