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

THIRD SECTION

DECISION

Application no. 38341/06
Zoran DRAŠKOVIĆ
against Serbia

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

Pere Pastor Vilanova, *President,*
Branko Lubarda,
Georgios A. Serghides, *judges*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 11 September 2006,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant Mr Zoran Drašković, is a Serbian national, who was born in 1975 and lives in Niš.

The Serbian Government ("the Government") were initially represented by their former Agent, Ms V. Rodić, who was recently substituted by their current Agent, Ms N. Plavšić.

The applicant complained under Article 6 § 1 of the Convention about the length of civil proceedings related to damages which lasted between 30 October 2000 and 10 July 2014. This complaint was communicated to the Government.

On 7 November 2015 and 30 December 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 EUR 2,400 (two thousand four hundred euros) to cover

any and all non-pecuniary damage less any amounts which may have already been paid in that regard at the domestic level and EUR 100 (one hundred euros) to cover any and all costs and expenses, plus any tax that may be chargeable to the applicant. These sums will be converted into national currency at the rate applicable on the date of payment, and 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 these sums within the above-mentioned three-month period, the Government undertake to pay simple interest on them, 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 17 November 2016.

Fatoş Aracı
Deputy Registrar

Pere Pastor Vilanova
President