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

THIRD SECTION

DECISION

Application no. 39918/10
Adam ĐURIĆ
against Serbia

The European Court of Human Rights (Third Section), sitting on 13 June 2017 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 7 July 2010,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Adam Đurić, is a national of Serbia, who was born in 1950 and lives in Donji Milanovac. He was initially represented by Mr N. Boškić, a lawyer practicing in Majdanpek, and subsequently by Mr M. Ralević, a lawyer practising in Majdanpek.

The Serbian Government ("the Government") were represented by their Agent, Ms N. Plavšić.

The applicant complained under Article 6 § 1 of the Convention about the non-enforcement of a final court decision rendered in his favour.

On 27 February 2015 and 29 November 2016 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 EUR 2,000 (two thousand 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 the 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 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 to the applicant, from their own funds, the sums 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.

These payments will constitute the final resolution of the cases 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 6 July 2017.

Fatoş Aracı
Deputy Registrar

Pere Pastor Vilanova
President