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

THIRD SECTION

DECISION

Application no. 54275/12
Ljubiša JANKOVIĆ against Serbia
and 32 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 15 April 2014 as a Committee composed of:

Ján Šikuta, *President,*
Dragoljub Popović,
Iulia Antoanella Motoc, *judges,*

and Marialena Tsirli, *Deputy Section Registrar*,

Having regard to the above applications lodged between 15 June 2012 and 17 April 2013,

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

Having deliberated, decides as follows:

THE FACTS AND PROCEDURE

The applicants' personal details are set out in the appendix. They are all represented before the Court by Ms S. Jokić, a lawyer practising in Čačak.

The Serbian Government ("the Government") were represented by their Agent, Ms V. Rodić.

The applicants essentially complain about the failure by the national authorities to enforce final court decisions rendered in their favour against the same socially/State-owned company. This complaint falls to be examined under Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention.

All the applicants, except the applicant Blagomir Jekić, application no. 11822/13, have also obtained decisions of the Constitutional Court according to which the Constitutional Court held that the applicants had

suffered a breach of their constitutional rights, awarded them certain sums as compensation for non-pecuniary damage and ordered the competent courts to bring the impugned enforcement proceedings to a conclusion as soon as possible. However, the final court judgments rendered in the applicants' favour have yet to be enforced.

The essential information as to the domestic proceedings in respect of each application is indicated in the appendix.

Between 18 November 2013 and 9 January 2014 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Serbia in respect of the facts giving rise to these applications against an undertaking by the Government to pay each of them 2,000 EUR (two thousand euros), less any amounts which may have already been paid on the basis of the relevant Constitutional Court's decision, to cover any non-pecuniary damage as well as costs and expenses, which would be converted into local currency at the rate applicable on the date of payment, and would be free of any taxes that may be applicable. These sums 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 these sums within the said three-month period, the Government undertook to pay simple interest on them, 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, from their own funds, the sums awarded in the domestic decisions under consideration in the present cases (see table appended), less any amounts which may have already been paid on the basis of the said decisions, 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 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 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 applications 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President

APPENDIX

No.	Application no. and date of introduction	Applicant name date of birth place of residence nationality	Represented by	Final domestic decision details s	Enforcement order details	Constitutional Court decision details, amount awarded as a compensation for non-pecuniary damage
1.	54275/12 15/06/2012	**Ljubiša JANKOVIĆ** 14/09/1951 Serbian	Snežana JOKIĆ	Čačak 20 October 2008	9 October 2009	Už-1708/2010 of 1 March 2012 200 Euros
2.	77714/12 19/11/2012	**Rade JOVANČEVIĆ** 15/09/1950 Serbian	Snežana JOKIĆ	Čačak 2 October 2008	27 August 2009	Už-1713/2010 of 18 October 2012 300 Euros
3.	11325/13 01/02/2013	**Milisav MILUTINOVIĆ** 08/11/1941 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
4.	11808/13 07/02/2013	**Zoran VUČIĆEVIĆ** 15/06/1962 Serbian	Snežana JOKIĆ	Čačak 21 February 2006	21 August 2006	Už-1386/2010 of 17 October 2012 600 Euros
5.	11822/13 01/02/2013	**Blagomir JEKIĆ** 06/10/1942 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	/
6.	12167/13 05/02/2013	**Stojanka ZEKAVICA** 22/09/1947 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
7.	12977/13 28/01/2013	**Mira ZOĆEVIĆ** 01/11/1956 Serbian	Snežana JOKIĆ	Čačak 21 February 2006	21 August 2006	Už-1386/2010 of 17 October 2012 600 Euros

8.	13007/13 05/02/2013	**Dragomir VASILIĆ** 14/08/1949 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
9.	13034/13 28/01/2013	**Milunka STOJANOVIĆ** 11/04/1955 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 May 2009	Už-1632/2010 of 15 November 2012 400 Euros
10.	14839/13 28/01/2013	**Stanija OBUĆINA** 09/09/1950 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
11.	14843/13 28/01/2013	**Duško ĆERIMAN** 12/12/1976 Serbian	Snežana JOKIĆ	Čačak 21 February 2006	21 August 2006	Už-1386/2010 of 17 October 2012 600 Euros
12.	14856/13 28/01/2013	**Jela BRALUŠIĆ** 25/02/1952 Serbian	Snežana JOKIĆ	Čačak 21 February 2006	21 August 2006	Už-1386/2010 of 17 October 2012 600 Euros
13.	14889/13 28/01/2013	**Rade PEŠIĆ** 16/02/1962 Serbian	Snežana JOKIĆ	Čačak 21 February 2006	21 August 2006	Už-1386/2010 of 17 October 2012 600 Euros
14.	15069/13 28/01/2013	**Milojko ĐOKOVIĆ** 10/10/1954 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
15.	15072/13 28/01/2013	**Andrija AVIĆ** 19/09/1963 Serbian	Snežana JOKIĆ	Čačak 25 June 2008	17 September 2008	Už-1453/2010 of 10 October 2012 400 Euros
16.	15165/13 31/01/2013	**Veroljub BODIĆ** 18/10/1958 Serbian	Snežana JOKIĆ	Čačak 2 October 2008	27 August 2009	Už-1713/2010 of 18 October 2012 300 Euros

17.	16872/13 25/02/2013	**Milan RADOJKOVIĆ** 22/10/1960 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
18.	16876/13 25/02/2013	**Milenko PETROVIĆ** 17/05/1965 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	27 October 2008 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
19.	17464/13 21/02/2013	**Vera RADIVOJEVIĆ** 07/09/1964 Serbian	Snežana JOKIĆ	Čačak 28 February 2008	4 November 2008	Už-1703/2010 of 10 October 2012 400 Euros
20.	17465/13 21/02/2013	**Slobodan STOJKOVIĆ** 22/02/1964 Serbian	Snežana JOKIĆ	Čačak 2 October 2008	27 August 2009	Už-1713/2010 of 18 October 2012 300 Euros
21.	17559/13 21/02/2013	**Katarina ERIĆ** 11/07/1966 Serbian	Snežana JOKIĆ	Čačak 2 October 2008	27 August 2009	Už-1713/2010 of 18 October 2012 300 Euros
22.	18291/13 28/01/2013	**Dragiša MILISAVLJEVIĆ** 21/08/1962 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
23.	20136/13 04/03/2013	**Mihailo GRUJOVIĆ** 15/08/1949 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
24.	20187/13 19/02/2013	**Gordana MIĆOVIĆ** 09/11/1954 Serbian	Snežana JOKIĆ	Čačak 21 February 2008	1. 27 October 2008 2. 5 March 2009	Už-1632/2010 of 15 November 2012 400 Euros
25.	25404/13 04/03/2013	**Božidar NOVAKOVIĆ** 16/12/1947 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros

26.	25446/13 04/03/2013	**Branimir RADIVOJEVIĆ** 11/05/1950 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
27.	25451/13 04/03/2013	**Predrag BAJIĆ** 15/04/1949 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
28.	29262/13 15/04/2013	**Milica SUBOTIĆ** 24/06/1951 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
29.	29267/13 15/04/2013	**Tatjana RADOVANOVIĆ** 28/04/1948 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
30.	31750/13 17/04/2013	**Miodrag PAJOVIĆ** 28/12/1948 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
31.	31752/13 17/04/2013	**Biljana VUČIĆEVIĆ** 12/12/1962 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
32.	31961/13 17/04/2013	**Zlatko STRIKOVIĆ** 02/06/1965 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros
33.	31965/13 17/04/2013	**Ljubica VOJVODIĆ** 26/01/1948 Serbian	Snežana JOKIĆ	Čačak 17 November 2006	1. 19 November 2007 2. 26 December 2008 3. 15 April 2009	Už-1746/2010 of 18 October 2012 500 Euros