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

THIRD SECTION

DECISION

Application no. 24706/12
Mladoljub JOCOVIĆ
against Serbia

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 application lodged on 19 March 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Mladoljub Jocović, is a Serbian national, who was born in 1951 and lives in Trbušani. He was represented before the Court by Ms S. Jokić, a lawyer practising in Čačak.

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

Relying on Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention, the applicant complained about the respondent State's failure to enforce final court decisions of the Municipal Court in Čačak of 13 November 2000, 6 March 2002, 3 December 2002 and 1 April 2003 rendered in his favour against a socially/State-owned company.

On 11 January 2013 and 5 March 2013 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 3,100 (three thousand one hundred euros) 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 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 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 case, less any amount 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 case 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President