

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

SECOND SECTION

DECISION

Application no. 37159/08
Aleksandra JOVANOVIĆ
against Serbia

The European Court of Human Rights (Second Section), sitting on 13 November 2012 as a Committee composed of:

Paulo Pinto de Albuquerque, *President,*
Dragoljub Popović,
Helen Keller, *judges,*

and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 22 July 2008,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Ms Aleksandra Jovanović, is a Serbian national, who was born in 1966 and lives in Zemun. She was represented before the Court by Mr D. Nedić, a lawyer practising in Beograd.

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

The applicant complained under Articles 6 § 1 and 13 of the Convention about the excessive length of her labour-related civil suit and a lack of an effective domestic remedy in that respect.

On 5 July 2012 and 16 July 2012 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 her EUR 3,200 (three thousand two hundred euros) to cover any non-pecuniary damage as well as costs and expenses, which will be converted into the domestic currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. This sum 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 pursuant to Article 39 of the Convention.

For these reasons, the Court unanimously

*Decides* to strike the application out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Paulo Pinto de Albuquerque
President