

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

SECOND SECTION

DECISION

Application no. 19572/11
Mile 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 10 February 2011,

Having regard to the declaration submitted by the respondent Government on 29 June 2012 and the applicant's reply to that declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Mile Jovanović, is a Serbian national, who was born in 1967 and lives in Majdanpek. He was represented before the Court by Mr M. Bojčević, a lawyer practising in Majdanpek.

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

The applicant complained under Article 6 § 1 of the Convention about the respondent State's failure to enforce a final court decision rendered in his favour against a predominantly socially/State-owned company. The application was communicated to the Government.

After unsuccessful friendly-settlement negotiations, by letter dated 29 June 2012 the Government informed the Court that they proposed to

make a declaration with a view to resolving the issues raised by the application.

The declaration provided as follows:

> "I declare that the Government of the Republic of Serbia is ready to accept that there had been a violation of the applicant's right under Article 6 paragraph 1 of the Convention and offer to pay to the applicant, Mr Jovanović, the amount of EUR 4,200 in respect of the application registered under no. 19572/11 before the European Court of Human Rights.
>
> This sum, which covers any pecuniary and non-pecuniary damage as well as costs, shall be paid in dinar counter-value, free of any taxes that may be applicable and to an account named by the applicant. The sum shall be payable within three months from the date of delivery of the decision by the court. This payment will constitute the final resolution of the case.
>
> The Government regret the occurrence of the actions which have led to the bringing of the present application. "

On 14 August 2012, the Court received a letter from the applicant's lawyer informing the Court that he had agreed to the terms of the Government's declaration.

THE LAW

The Court finds that following the applicant's express agreement to the terms of the declaration made by the Government the case should be treated as a friendly settlement between the parties.

It therefore 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 pursuant to Article 39 of the Convention.

Françoise Elens-Passos	Paulo Pinto de Albuquerque
Deputy Registrar	President