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

SECOND SECTION

DECISION

Application no. 24887/12
Julka JOVANOVIĆ
against Serbia

The European Court of Human Rights (Second Section), sitting on 5 November 2013 as a Committee composed of:

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

and Seçkin Erel, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 11 April 2012,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Julka Jovanović, is a Serbian national, who was born in 1951 and lives in Novi Pazar. She was represented before the Court by Ms N. Mijaljević, a lawyer practising in Novi Pazar.

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 and Article 1 of Protocol No. 1 thereto, about the failure of the respondent State to enforce a final court judgment rendered in her favour against a socially-owned company.

On 10 January and 12 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 her EUR 2,600 (two thousand six hundred euros) to cover any non-pecuniary damage as well as costs and expenses, which will be converted into the

national currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. It 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 parties, furthermore, agreed that within the said three-month period the Government will pay, from their own funds, the sums awarded in the domestic decision under consideration in the present case (the Municipal Court in Novi Pazar judgment of 9 July 2004), less any amounts which may have already been paid on the basis of the said decision, plus the costs of the domestic enforcement proceedings. The payment will constitute the final resolution of the case 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.

Seçkin Erel	Paulo Pinto de Albuquerque
Acting Deputy Registrar	President