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

SECOND SECTION

DECISION

Application no. 33073/12
Rade JOVČOV
against Serbia

The European Court of Human Rights (Second Section), sitting on 1 October 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 16 May 2012,

Having regard to the settlement reached between the parties on 12 April 2013 concerning the above application,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Rade Jovčov, is a Serbian national, who was born in 1980 and lives in Bosilegrad.

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

On 13 December 2012 the Court gave notice to the Government of the applicant's complaints under Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 thereto concerning the alleged non-enforcement of the Municipal Court (*Opštinski sud*) in Bosilegrad judgments of 18 June 2003 and 26 December 2008 rendered in the applicant's favour against a socially-owned company.

After the failure of attempts to reach a friendly settlement initiated by the Court, on 26 April and 21 May 2013 the Government and the applicant, respectively, informed the Court that on 12 April 2013 they had reached a settlement, the relevant part of which reads as follows:

> "The Republic of Serbia undertakes to pay to the applicant *ex gratia* 4,200 (four thousand two hundred) euros converted into Serbian Dinar at the mid-market rate

[applicable on the date of payment] on account of non-pecuniary damages and costs, as well as the sums awarded in the judgment P1.no. 259/02 of 18 June 2003 and costs of the enforcement proceedings I.no.112/05, with a view to securing a settlement of the [application no. 33073/12 pending before the European Court of Human Rights].

These sums shall be payable within three months from the date of notification of the decision taken by the European Court of Human Rights to strike the case out of its list of cases, pursuant to Article 37 § 1 of the European Convention on Human Rights.

The applicant waives any further claims against the Republic of Serbia in respect to the facts giving rise to the application no. 33073/12.

This settlement constitutes a final resolution of the case."

THE LAW

The Court takes note of the settlement reached between the parties. It is satisfied that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and its Protocols does not require it to continue the 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
Acting Deputy Registrar

Paulo Pinto de Albuquerque
President