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

SECOND SECTION

DECISION

Application no. 51147/06
Svetislav JOVIĆ
against Montenegro

The European Court of Human Rights (Second Section), sitting on 5 September 2017 as a Committee composed of:

Paul Lemmens, President,
Nebojša Vučinić,
Stéphanie Mourou-Vikström, *judges,*
and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 9 December 2006,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Svetislav Jović, is a Serbian national, who was born in 1942 and lives in Belgrade. He was represented before the Court by Mr B. Minić, a lawyer practising in Kolašin.

The Montenegrin Government ("the Government") were represented by their Agent, Ms V. Pavličić.

The applicant complained under Article 6 of the Convention about the lack of access to a court in that the domestic courts refused to examine his compensation claim on the merits.

On 25 February 2017 and 16 May 2017 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Montenegro in respect of the facts giving rise to this application against an undertaking by the Government to pay him EUR 4,100 (four thousand one hundred euros) to cover any and all non-pecuniary damage as well as costs and expenses, plus

any tax that may be chargeable to the applicant. 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.

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.

Done in English and notified in writing on 28 September 2017.

Hasan Bakırcı
Deputy Registrar

Paul Lemmens
President