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

SECOND SECTION

DECISION

Application no. 67335/09
Ljiljana MARKOVIĆ and Others
against Serbia

The European Court of Human Rights (Second Section), sitting on 19 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 20 November 2009,

Having regard to the declaration submitted by the respondent Government on 1 August 2013 and the applicants' reply to that declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants, Ms Ljiljana Marković, Ms Mirjana Marković, and Ms Nada Marković, are Serbian nationals, who were born in 1985, 1983 and 1962 and live in Loznica. They were represented before the Court by Mr P. Savić, a lawyer practising in Belgrade.

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

The applicants complained about the respondent State's failure to enforce a final court decision rendered in their favour against a socially/State-owned company. The application was communicated to the Government.

After unsuccessful friendly-settlement negotiations, by letter dated 1 August 2013 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 applicants' right under Article 6 paragraph 1 and Article 13 of the Convention as well as Article 1 of Protocol No. 1 to the Convention, and offer to pay to Ms Ljiljana Marković, Ms Mirjana Marković, and Ms Nada Marković, jointly the amount of EUR 6,120 to cover any and all non-pecuniary damage as well as the costs and expenses plus any tax that may be chargeable to the applicants in respect of the application registered under no. 67335/09 before the European Court of Human Rights.
>
> This sum shall be payable within three months from the date of delivery of the decision of the Court.
>
> I further declare that within the same three-month period the Government offer to pay, from their own funds, to the applicants the sums awarded in the domestic decision P 2038/98 adopted by the Municipal Court in Loznica on 11 October 1999, less any amounts which may have already been paid on the basis of the said decision, plus costs of enforcement proceedings.
>
> These payments will constitute the final resolution of the case pending before the European Court of Human Rights.
>
> The Government regret the occurrence of the actions which have led to the bringing of the present application. "

On 22 August 2013, the Court received a letter from the applicants' lawyer informing the Court that they had agreed to the terms of the Government's declaration.

THE LAW

The Court finds that following the applicants' 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 in accordance with Article 39 of the Convention.

Seçkin Erel	Paulo Pinto de Albuquerque
Acting Deputy Registrar	President