

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

THIRD SECTION

DECISION

Application no. 2400/13
Emina MAVRIĆ against Serbia
and and 10 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 15 April 2014 as a Committee composed of:

Ján Šikuta, *President,*
Dragoljub Popović,
Iulia Antoanella Motoc, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above applications lodged between 17 December 2012 and 14 August 2013,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants' personal and other relevant details are set out in the appended table. The Serbian Government ("the Government") were represented by their Agent, Ms V. Rodić.

Relying on various Articles of the Convention, the applicants complained about the respondent State's failure to enforce final court decisions rendered in their favour against socially/State-owned companies. The essential information as to the domestic proceedings in respect of each application is indicated in the appended table.

Between 7 October 2013 and 6 January 2014 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Serbia in respect of the facts giving rise to these applications against an undertaking by the Government to pay each of them 2,000 EUR (two thousand euros) to cover any non-

pecuniary damage as well as costs and expenses, which would be converted into local currency at the rate applicable on the date of payment, and would be free of any taxes that may be applicable. These sums would be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay these sums within the said three-month period, the Government undertook to pay simple interest on them, from 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 would pay, from their own funds, the sums awarded in the domestic decisions under consideration in the present cases (see table appended), less any amounts which may have already been paid on the basis of the said decisions, plus the costs of the domestic enforcement proceedings. These payments will constitute the final resolution of the cases pending before the European Court of Human Rights.

THE LAW

The Court considers that, in accordance with Rule 42 § 1 of the Rules of Court, the applications should be joined, given their similar factual and legal background.

The Court takes note of the friendly settlements reached between the parties. It is satisfied that the settlements are 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 applications.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications;

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President

No.	Application no. and date of introduction	Applicant name date of birth nationality	Represented by	Final domestic decision details (the seat of the relevant court and the date of the decision)	The date of the enforcement order
1.	2400/13 17/12/2012	**Emina MAVRIĆ** 24/06/1958 Serbian	Refija GARIBOVIĆ	Tutin 04/07/2006	03/10/2006
2.	9228/13 05/09/2012	**Azemina ĆURKIĆ** 24/04/1959 Serbian	Refija GARIBOVIĆ	Novi Pazar 12/12/2007	04/07/2011
3.	11539/13 27/09/2012	**Ramiza UGLJANIN** 29/06/1958 Serbian	Refija GARIBOVIĆ	Novi Pazar 1. 07/05/2004 2. 28/10/2004 3. 02/03/2006 4. 03/12/2007	1. 15/06/2004 2. 17/12/2004 and 2/10/2006 3. 15/05/2006 4. 22/06/2011
4.	16878/13 26/02/2013	**Kada ĐERLEK** 13/01/1961 Serbian	Refija GARIBOVIĆ	Tutin 1. 27/11/2002 2. 13/05/2004	1. 27/01/2003 2. 08/07/2004
5.	47423/13 29/06/2013	**Jeremija MIJAILOVIĆ** 17/05/1954 Serbian	Rodoljub MARINKOVIĆ	Novi Pazar 09/04/2008	30/06/2011
6.	49797/13 19/06/2013	**Jusuf IBRAHIMOVIĆ** 17/02/1952 Serbian	Emir FETAHOVIĆ	Novi Pazar 1. 26/08/2003 2. 12/01/2006 3. 11/01/2007 4. 27/02/2007	1. 15/12/2003 2. 11/05/2006 3. 30/03/2007 4. 05/04/2007
7.	54536/13 14/08/2013	**Mahit ISLAMOVIĆ** 15/06/1945 Serbian	Emir FETAHOVIĆ	Novi Pazar 1. 06/10/2004 2. 22/03/2006	1. 15/09/2006 2. 30/01/2006
8.	54541/13 14/08/2013	**Branislavka MIŠOVIĆ - DEČEVIĆ** 22/11/1955	Emir FETAHOVIĆ	Novi Pazar 1. 01//06/2004 2. 28/11/2005 3. 28/06/2006	1. 28/09/2006 2. 28/09/2006 3. 25/10/2004

		Serbian			
9.	54544/13 14/08/2013	**Hilmo BILALOVIĆ** 03/03/1956 Serbian	Emir FETAHOVIĆ	Novi Pazar 1. 08/06/2004 2. 08/11/2005 3. 28/08/2006	1. 04/06/2007 2. 27/12/2005 3. 25/10/2004
10.	54580/13 14/08/2013	**Mirsada JAŠAROVIĆ** 01/04/1964 Serbian	Emir FETAHOVIĆ	Novi Pazar 1. 13/07/2004 2. 27/07/2006 3. 06/03/2007	1. 23/04/2007 2. 19/02/2007 3. 23/06/2005
11.	54589/13 14/08/2013	**Zineta ZEĆOVIĆ - ZEČEVIĆ** 20/04/1967 Serbian	Emir FETAHOVIĆ	Novi Pazar 1. 28/02/2005 2. 10/03/2006 3. 22/02/2007	1. 28/04/2006 2. 19/12/2006 3. 24/04/2007