

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

SECOND SECTION

DECISION

Application no. 54771/07
Dragan RADOJIČIĆ and Others
against Serbia

The European Court of Human Rights (Second Section), sitting on 6 March 2012 as a Committee composed of:

András Sajó, *President,*
Dragoljub Popović,
Paulo Pinto de Albuquerque, *judges,*

and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 21 November 2007,

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

Having deliberated, decides as follows:

PROCEDURE

The applicants, Mr Dragan Radojičić, Ms Bora Radojičić, Ms Nataša Radojičić, Mr Dušan Radojičić, Mr Milenko Ćuk, Ms Ljiljana Ćuk, Mr Bojan Ćuk, Mr Dejan Ćuk, Mr Josip Živković, Ms Nada Stojković, Ms Milica Stojković, Mr Vladeta Milošević, Ms Ana Milovanović, Ms Spasenija Radojičić, Mr Vojislav Radojičić, Ms Snežana Tabić, Mr Rade Jevremović and Ms Miroslava Katić are all Serbian nationals, and all live in Belgrade and Zemun.

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

The applicants complained under Article 6 § 1 of the Convention about the length of the civil proceedings upon their compensation claim.

On 2 October and 8 November 2011 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 this application against an undertaking by the Government to pay to: Mr Dragan, Ms Bora, Ms Nataša and Mr Dušan Radojičić 3,000 (three thousand) euros jointly; to Ms Spasenija and Mr Vojislav Radojičić 3,000 euros jointly; to Ms Nada and Ms Milica Stojković 3,000 euros (three thousand) jointly; to Mr Milenko, Ms Ljiljana, Ms Bojan and Mr Dejan Ćuk 3,000 (three thousand) euros jointly; as well as the sum of 3,000 (three thousand) euros to Mr Josip Živković, Mr Vladeta Milošević, Ms Ana Milovanović, Ms Snežana Tabić, Mr Rade Jevemović and Ms Miroslava Katić each. The respective amounts are aimed to cover any non-pecuniary damage as well as costs and expenses, which would be converted into domestic currency at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. They will be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. 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. These payments 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 (Article 37 § 1 *in fine* of the Convention).

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.

Françoise Elens-Passos
Deputy Registrar

András Sajó
President