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

SECOND SECTION

DECISION

Application no. 24361/10
Petko ŠĆEKIĆ and others against Montenegro
and 2 other applications
(see list appended)

The European Court of Human Rights (Second Section), sitting on 31 May 2016 as a Committee composed of:

Valeriu Griţco, *President,*
Nebojša Vučinić,
Stéphanie Mourou-Vikström, *judges,*
and Milan Blaško, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged between 20 April 2010 and 24 June 2013 (see the attached Annex),

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

A list of the applicants and their representatives is set out in the appendix.

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

Relying on Articles 6 and 13 of the Convention, the applicants in applications nos. 24361/10 and 45275/13 complained about the failure by the national authorities to enforce the final court judgments rendered in their favour, while the applicants in application no. 45674/13 complained about the length of the impugned enforcement proceedings.

The essential information as to the domestic proceedings in respect of each application is indicated in the appendix.

Between 8 February 2016 and 4 April 2016 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Montenegro in respect of the facts giving rise to these applications against an undertaking by the Government to pay them the amounts specified in the appended table to cover any non-pecuniary damage as well as costs and expenses, plus any tax that may be chargeable to the applicants. These sums 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 these sums within the said three-month period, the Government undertook to pay simple interest on them, 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 cases.

THE LAW

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

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 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.

Done in English and notified in writing on 23 June 2016.

Milan Blaško
Acting Deputy Registrar

Valeriu Griţco
President

APPENDIX

No.	Application No.	Lodged on	Applicant's name Date of birth Place of residence Nationality	Represented by	Friendly settlement amounts
1.	24361/10	20/04/2010	**Petko ŠĆEKIĆ** 10/05/1943 Beograd Montenegrin **Olga ŠĆEKIĆ** 09/09/1954 Bijelo Polje Montenegrin **Mileta ŠĆEKIĆ** 06/05/1936 Bijelo Polje Montenegrin **Marko ŠĆEKIĆ** 28/06/1937 Bijelo Polje Montenegrin **Momčilo ŠĆEKIĆ** 12/03/1941 Beograd Montenegrin	Radivoje ŠUKOVIĆ	3,600 euros to applicants Petko Šćekić and Momčilo Šćekić each and 3,600 jointly to applicants Olga Šćekić, Mileta Šćekić and Marko Šćekić for the non-pecuniary damage suffered + 500 euros jointly to all applicants on account of the costs and expenses incurred
2.	45275/13	20/06/2013	**Slađana CVETKOVIĆ** 05/04/1965 Tivat Montenegrin	Petar SAMARDŽIČ	3,600 euros for the non-pecuniary damage suffered + 500 euros on account of the costs and expenses incurred
3.	45674/13	24/06/2013	**Mile TOMASOVIĆ** 02/10/1951 Tivat Montenegrin **Mladenka TOMASOVIĆ** 18/05/1952 Tivat Montenegrin	Petar SAMARDŽIČ	1,200 euros for the non-pecuniary damage suffered + 100 euros jointly to the applicants on account of the costs and expenses incurred