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

SECOND SECTION

DECISION

This version was rectified on 24 January 2017
under Rule 81 of the Rules of Court.

Application no. 14561/08
Miličko ŠĆEPOVIĆ against Montenegro
and 2 other applications
(see list appended)

The European Court of Human Rights (Second Section), sitting on 8 November 2016 as a Committee composed of:

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

Having regard to the above applications lodged on the various dates indicated in the appended table,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants, as well as other relevant information, is set out in the appended table.

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

The applicants' complaints, under Article 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1, concerning the non-enforcement of the final court decisions rendered in their favour were communicated to the Government.

Between 18 March 2016 and 14 June 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 to each of the applicants[1] listed in the appendix EUR 2,000 (two thousand euros)[2] to cover any non-pecuniary damage as well as costs and expenses, which will be free of any taxes that may be applicable. These sums will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these sums within the above-mentioned three-month period, the Government undertake 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.[3]

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.[4]

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

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 the Protocols thereto 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;

---

[1] Rectified on 24 January 2017: the text was "to each applicant".

[2] Rectified on 24 January 2017: "(two thousand euros)" has been added.

[3] Rectified on 24 January 2017: "The payments will constitute the final resolution of the cases." has been deleted.

[4] Rectified on 24 January 2017: the following text has been added "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."

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 1 December 2016.

Hasan Bakırcı
Deputy Registrar

Valeriu Griţco
President

APPENDIX

No.	Application no. and date of introduction	Applicant name date of birth nationality	Represented by	Final domestic decision details	Enforcement order or request for enforcement where there was no enforcement order issued
1.	14561/08 03/03/2008	**Miličko ŠĆEPOVIĆ** 04/09/1940 *Montenegrin*		Berane P.br.688/97 of 19/11/1997	11/03/2002 (request for enforcement)
2.	15577/10 09/03/2010 (5 applicants)	**Dragomir BULATOVIĆ** 19/09/1946 **Veselin REŠETAR** 25/02/1944 **Dejan ŠABELJIĆ** 30/05/1962 **Miodrag LEKIĆ** 04/03/1950 **Rajko BULATOVIĆ** 15/12/1958 *Montenegrins*	**Radomir PRELEVIĆ**	Podgorica P.br.1561/05 of 14/04/2006	Podgorica I.br.1801/06 of 05/06/2006; I.br.875/06 of 13/06/2008
3.	62483/10 19/10/2010	**Milorad KASTRATOVIĆ** 06/06/1967 *Montenegrin*	**Nikola ČUKIĆ**	Berane P.br.1888/04 of 16/06/2006	Bijelo Polje St.br.46/07 of 07/02/2008