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

FOURTH SECTION

# DECISION

Application no. 33236/22
Nenad TOMAŠEVIĆ against Serbia
and 16 other applications
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 1 June 2023 as a Committee composed of:

Tim Eicke*, President*,
Branko Lubarda,
Ana Maria Guerra Martins*, judges*,

and Viktoriya Maradudina, *Acting 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 is set out in the appended table.

The applicants were represented by Mr S. Aleksić, a lawyer practising in Niš.

The applicants' complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 concerning the non-enforcement of domestic decisions given against socially/State-owned companies were communicated to the Serbian Government ("the Government").

The Court received the 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, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts 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. The Government also undertake to ensure the enforcement of the domestic decisions under consideration in the cases concerned (see appended table) within the same three-month period, and to pay any costs of the domestic enforcement proceedings.

The payment and the enforcement of the domestic decisions in the cases concerned will constitute the final resolution of the cases.

## 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;

*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 22 June 2023.

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| Viktoriya Maradudina | Tim Eicke |
| Acting Deputy Registrar | President |

# APPENDIX

## List of applications raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 (non-enforcement of domestic decisions given against socially/State-owned companies)

| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Date of receipt of Government's declaration | Date of receipt of Applicant's declaration | Amount awarded for non-pecuniary damage per applicant (in euros)[1] [2] | Amount awarded for costs and expenses per application (in euros)[3] |
|---|---|---|---|---|---|---|
| 1. | 33236/22<br>30/06/2022 | **Nenad TOMAŠEVIĆ**<br>1957 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 2. | 33392/22<br>30/06/2022 | **Vladan JANKOVIĆ**<br>1955 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 3. | 33437/22<br>30/06/2022 | **Olgica DEVIĆ**<br>1963 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 4. | 33453/22<br>30/06/2022 | **Ivan VITOMIRAC**<br>1988 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 5. | 33460/22<br>30/06/2022 | **Milica PETROVIĆ**<br>1992 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 6. | 33464/22<br>30/06/2022 | **Zorica MARKOVIĆ**<br>1979 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 7. | 33859/22<br>30/06/2022 | **Perica MERČA**<br>1967 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 8. | 33861/22<br>30/06/2022 | **Dragan DEJANOVIĆ**<br>1967 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 9. | 33881/22<br>30/06/2022 | **Vjekoslav PETROVIĆ**<br>1950 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 10. | 39399/22<br>21/07/2022 | **Slavoljub JOVANOVIĆ**<br>1955 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 11. | 39407/22<br>21/07/2022 | **Predrag STAŠEVIĆ**<br>1981 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 12. | 39416/22<br>21/07/2022 | **Saša TERZIĆ**<br>1975 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |

| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Date of receipt of Government's declaration | Date of receipt of Applicant's declaration | Amount awarded for non-pecuniary damage per applicant (in euros)[1] [2] | Amount awarded for costs and expenses per application (in euros)[3] |
|---|---|---|---|---|---|---|
| 13. | 39419/22<br>21/07/2022 | **Ivan ALEKSIĆ**<br>1983 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 14. | 39423/22<br>21/07/2022 | **Mile VIDOSAVLJEVIĆ**<br>1960 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 15. | 39610/22<br>21/07/2022 | **Jovica ZAFIROVIĆ**<br>1967 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 16. | 39614/22<br>21/07/2022 | **Milan MARKOVIĆ**<br>1959 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |
| 17. | 39618/22<br>21/07/2022 | **Željko ĐORĐEVIĆ**<br>1967 | 21/04/2023 | 12/05/2023 | 1,000 | 30 |

[1] Plus any tax that may be chargeable to the applicants.
[2] Less any amounts which may have already been paid in that regard at the domestic level.
[3] Plus any tax that may be chargeable to the applicants.