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

THIRD SECTION

DECISION

Application no. 73583/12
Mujesira TRTOVAC against Serbia
and 11 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 3 November 2012 and 10 April 2013,

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

Having deliberated, decides as follows:

THE FACTS AND PROCEDURE

A list of the applicants is set out in the appendix. They were all represented by Mr R. Marinković, a lawyer practising in Novi Pazar. The Serbian Government ("the Government") were represented by their Agent, Ms V. Rodić.

Relying on Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 to 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.

On 20 September 2013 and 19 December 2013 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 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President

APPENDIX

No.	Application no. and date of introduction	Applicant name date of birth nationality	Final domestic decision details	Enforcement order details
1.	73583/12 03/11/2012	**Mujesira TRTOVAC** 23/05/1960 Serbian	The Municipal Court in Novi Pazar P1.no.686/08 of 18 May 2009	The Court of First Instance in Novi Pazar 19-I.no.101/12 of 19 January 2012
2.	73711/12 09/11/2012	**Hakija GEGIĆ** 29/09/1955 Serbian	The Court of First Instance in Novi Pazar 13-P1.no.223/10 of 16 February 2010	The Court of First Instance in Novi Pazar 19-I.no.1227/11 of 11 July 2011
3.	74685/12 03/11/2012	**Mirko ĐUROVIĆ** 06/02/1955 Serbian	The Municipal Court in Novi Pazar P1.no.114/09 of 24 April 2009	The Court of First Instance in Novi Pazar 20-I.no.2038/11 of 18 November 2011
4.	75955/12 21/11/2012	**Sefida BIHORAC** 25/04/1959 Serbian	The Municipal Court in Novi Pazar P1.no.136/09 of 25 September 2009 and 21 December 2009	The Court of First Instance in Novi Pazar 20-I.no.2146/11 of 1 December 2011
5.	75998/12 15/11/2012	**Drina DAČOVIĆ** 01/01/1957 Serbian	The Court of First Instance in Novi Pazar 13-P1.no.227/10 of 16 February 2010	The Court of First Instance in Novi Pazar 19-I.no.1229/11 of 11 July 2011
6.	79071/12 08/12/2012	**Idriz OSMANOVIĆ** 27/01/1958 Serbian	The Municipal Court in Novi Pazar P1.no.681/08 of 25 May 2009	The Court of First Instance in Novi Pazar 19-I.no.2249/11 of 8 December 2011
7.	79541/12 28/11/2012	**Hama HADŽIĆ** 10/12/1956 Serbian	The Municipal Court in Novi Pazar P1.no.257/08 of 2 September 2008	The Court of First Instance in Novi Pazar 20-I.1012/11 of 29 June 2011
8.	20766/13 11/03/2013	**Mersija KOLAŠINAC**[1] 11/08/1972 Serbian **Jakupović EDIN** 24/05/1978 Novi Pazar Serbian **Jakupović NEDŽMIJA** 05/03/1955 Novi Pazar Serbian	The Municipal Court in Novi Pazar P1.no.118/09 of 30 March 2009	The Court of First Instance in Novi Pazar 20-I.no.2130/11 of 25 November 2011

[1] The applicants are the heirs of late Šahin Jakupović with respect to the judgment claim, as declared by the decision of the Court of First Instance in Novi Pazar 20-O.no. 1076/11 of 14 December 2011.

No.	Application no. and date of introduction	Applicant name date of birth nationality	Final domestic decision details	Enforcement order details
9.	21838/13 07/03/2013	**Milodarka RADOVANOVIĆ** 01/01/1958 Serbian	The Municipal Court in Novi Pazar P1.no.987/07 of 22 October 2008	The Court of First Instance in Novi Pazar 19-I.no.957/11 of 23 June 2011
10.	28308/13 11/04/2013	**Edina MUŠIĆ** 28/10/1964 Serbian	The Municipal Court in Novi Pazar P1.no.649/08 of 12 October 2009	The Court of First Instance in Novi Pazar 20-I.no.2534/11 of 12 January 2012
11.	29683/13 11/04/2013	**Ramiz IBRAHIMOVIĆ** 09/02/1966 Serbian	The Municipal Court in Novi Pazar P1.no.654/08 of 18 May 2009	The Court of First Instance in Novi Pazar 19-I.no.2243/11 of 8 December 2011
12.	29693/13 10/04/2013	**Nada RAKOVIĆ** 12/12/1954 Serbian	The Municipal Court in Novi Pazar P1.no.129/09 of 10 March 2009	The Court of First Instance in Novi Pazar 20-I.no.1948/11 of 7 November 2011