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

THIRD SECTION

DECISION

Application no. 70972/12
Hadžo UGLJANIN against Serbia
and 5 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 18 October 2012 and 3 April 2013,

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

Having deliberated, decides as follows:

THE FACTS AND PROCEDURE

The applicants' personal details are set out in the appended table. They were all represented by Ms V. Cukavac, except for the applicant in case no. 28233/13 who was represented by Mr Z. Janićijević, both lawyers 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.

Between 25 October 2013 and 10 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.	70972/12 18/10/2012	**Hadžo UGLJANIN** 27/07/1960 Serbian	The Municipal Court in Novi Pazar P1.no.175/05 of 18 August 2005	The Municipal Court in Novi Pazar I.no.1222/05 of 27 December 2005
2.	14780/13 20/02/2013	**Koviljka BABIĆ** 28/02/1955 Serbian	The Court of First Instance in Novi Pazar 11-P1.no.986/10 of 9 December 2010	The Court of First Instance in Novi Pazar 20-I.no.192/12 of 30 January 2012
3.	14782/13 20/02/2013	**Mersudin ČULJEVIĆ** 01/02/1959 Serbian	The Court of First Instance in Novi Pazar 21-P1.no.323/11 of 2 September 2011	The Court of First Instance in Novi Pazar 19-I.no.1959/11 of 4 November 2011
4.	21905/13 19/02/2013	**Borka PETROVIĆ** 25/11/1952 Serbian	The Municipal Court in Novi Pazar P1.1184/04 of 28 December 2004	The Municipal Court in Novi Pazar I. 58/05 of 22 February 2005

No.	Application no. and date of introduction	Applicant name date of birth nationality	Final domestic decision details	Enforcement order details
5.	27227/13 02/04/2013	**Nafija AZEMI** 13/03/1954 Serbian	The Municipal Court in Novi Pazar P1.no.1195/04 of 26 January 2005	The Municipal Court in Novi Pazar I.no.713/05 of 5 January 2006
6.	28233/13 03/04/2013	**Gordana FILIMONOVIĆ** 21/01/1959 Serbian	The Municipal Court in Novi Pazar P1.no.732/04 of 24 February 2005	The Court of First Instance in Novi Pazar 20-I.no.1452/11 of 16 August 2011