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

FIRST SECTION

DECISION

Application no. 43076/22
Budimka VUKAŠINOVIĆ
against Montenegro
(see appended table)

The European Court of Human Rights (First Section), sitting on 7 November 2024 as a Committee composed of:

Georgios A. Serghides*, President*,
Erik Wennerström,
Alain Chablais*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 15 August 2022,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Ms M. Kasalica, a lawyer practising in Podgorica.

The applicant's complaints under Article 6 § 1 of the Convention concerning the excessive length of constitutional proceedings were communicated to the Montenegrin Government ("the Government").

After unsuccessful friendly-settlement negotiations, the Government submitted a declaration with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the application.

The Government acknowledged the excessive length of the proceedings. They offered to pay the applicant the amounts detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts would 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 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 case.

The applicant informed the Court that she agreed to the terms of the declaration.

THE LAW

The Court finds that, following the applicant's express agreement to the terms of the declaration made by the Government, the case should be treated as a friendly settlement between the parties.

It therefore 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 the continued examination of the application.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 28 November 2024.

Viktoriya Maradudina Acting Deputy Registrar	Georgios A. Serghides President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention
(excessive length of constitutional proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage per applicant (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
43076/22 15/08/2022	**Budimka VUKAŠINOVIĆ** 1964	17/06/2024	16/09/2024	1,080	250

[1] Plus any tax that may be chargeable to the applicant.
[2] Plus any tax that may be chargeable to the applicant.