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

FOURTH SECTION

DECISION

Application no. 39571/20
VULKO DOO
against Serbia
(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 application lodged on 21 August 2020,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant company was represented by Ms D. Janković, a lawyer practising in Čačak.

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

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant agreed to waive any further claims against Serbia in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay it 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 decision under consideration in the case within the same three-month period, and to pay any costs of the domestic enforcement proceedings.

The payment and the enforcement of the domestic decision in the case concerned will constitute the final resolution of the case.

THE LAW

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 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 22 June 2023.

Viktoriya Maradudina	Tim Eicke
Acting Deputy Registrar	President

APPENDIX

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

Application no. Date of introduction	Applicant's name Year of registration	Other complaints under well-established case-law	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]
39571/20 21/08/2020	**VULKO DOO** 1992	Art. 13 - lack of any effective remedy in domestic law in respect of non-enforcement or delayed enforcement of domestic decisions - effectiveness of the constitutional appeal in this particular case in view of the length of the proceedings before the Constitutional Court	07/02/2023	07/11/2022	1,000	30

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