



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

THIRD SECTION

DECISION

Applications nos. 70716/16 and 4125/17
Ivana STOJANOVIĆ against Serbia
and Dragan MILENOVIĆ against Serbia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 12 September 2019 as a Committee composed of:

Dmitry Dedov, *President*,

Alena Poláčková,

Gilberto Felici, *judges*,

and Liv Tigerstedt, *Acting Deputy Section Registrar*,

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the observations submitted by the parties,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants were represented by Ms T. Stojiljković, a lawyer practising in Leskovac.

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

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

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B. 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)

In the present applications, having examined all the material before it, the Court considers that the respondent Government cannot be held liable for the non-enforcement of the domestic decisions since the applicants failed to properly raise their complaints before the Constitutional Court.

In view of the above, the Court finds that these complaints are inadmissible for non-exhaustion of domestic remedies and must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 3 October 2019.

Liv Tigerstedt
Acting Deputy Registrar

Dmitry Dedov
President

APPENDIX

List of applications 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)

No.	Application no. Date of introduction	Applicant's name Date of birth	Relevant domestic decision	Start date of non-enforcement period	End date of non-enforcement period Length of enforcement proceedings
1.	70716/16 14/11/2016	Ivana Stojanović 23/09/1971	Municipal Court in Leskovac, 20/01/1999	24/11/2004	pending More than 14 year(s) and 7 month(s) and 17 day(s)
			Municipal Court in Leskovac, 07/12/2001	02/12/2005	pending More than 13 year(s) and 7 month(s) and 9 day(s)
2.	4125/17 29/12/2016	Dragan Milenović 29/09/1965	Municipal Court in Leskovac, 01/11/2005	26/01/2006	pending More than 13 year(s) and 5 month(s) and 15 day(s)