Belgrade, 5 February 2026

**ACTION REPORT**

**STAJKOVIĆ v. SERBIA**

Application no. 56944/17, the judgement of 27 January 2026, final on 27 January 2026

**from the**

**RADONJIĆ AND ROMIĆ group of cases v. Serbia**

Application no. 43674/16, the judgment of 4 April 2023, final on 4 July 2023

## I CASE DESCRIPTION

1. This case concerns the failure of the domestic courts to award the applicant the compensation to which he had been entitled as a result of the established violation of Article 5 § 3 of the Convention.

2. Emphasising that compensation for non-pecuniary damage must be awarded in situations of this nature, the fact that the Constitutional Court chose not to award any compensation led the Court to conclude that the mere acknowledgment of the alleged breach did not in itself constitute sufficient redress for that violation. Compensation in respect of non-pecuniary damage in an adequate amount would have been required to that end. Thus, the applicant's enforceable right to compensation, as guaranteed under Article 5 § 5 of the Convention, was violated (§ 10 *Stajković*).

## II INDIVIDUAL MEASURES

3. The Serbian authorities have taken steps to ensure that the violation at hand ceased and that the applicant was redressed for the negative consequences of the violation found by the European Court. These measures are set out below.

### A. The applicant's release

4. At the outset, the authorities indicate that the applicant in *Stajković* case has been already released before the European Court rendered the present judgment (§ 2 *Stajković*).

5. Therefore, given that the applicant is currently not held under detention, the violation has been brought to an end.

### B. The applicant's redress

6. The applicant did not submit a claim for just satisfaction. Accordingly, the Court considers that there is no call to award him any sum on that account.

7. In view of the above, the authorities consider that the applicant has been redressed for the damage sustained and that no further individual measures are possible in the present case.

## III GENERAL MEASURES

8. In response to the European Court's findings, the authorities recall that the general measures in similar cases have been taken within the context of the leading case *Radonjić and Romić*, which are capable of preventing similar violations. The authorities note that the revised Action plan in *Radonjić and Romić case* [DH-DD(2025)978] was submitted on 27 August 2025. All general measures regarding the case *Stajković* will be implemented within the framework of the *Radonjić and Romić group of cases*.

9. In 2025, the authorities ensured that publication and dissemination of the present judgment were taken to draw the attention of the relevant domestic authorities on the European Court's findings in this case. To this end, the European Court's judgment was translated into Serbian and published in the Official Gazette and on the Government Agent's official web page. The European Court's findings have therefore been made easily accessible to judges and the legal community nationwide.

10. The Government Agent furthermore prepared an analysis of the European Court's findings in this judgment and ensured its dissemination together with the translated judgment to all relevant domestic authorities.

11. The above-mentioned measures ensured the awareness of the Court's findings and the need to comply with the Convention requirements in similar cases.

## IV JUST SATISFACTION

12. The applicant did not submit a claim for just satisfaction. Accordingly, the Court considers that there is no call to award him any sum on that account.

## V CONCLUSIONS

13. The authorities consider the individual measures taken ensured that the applicant was redressed for the damage sustained.

14. The authorities furthermore consider the general measures taken within the context of the *Radonjić and Romić group of cases* are capable of preventing similar violations and will be further implemented within the framework of the *Radonjić and Romić group*.

15. The authorities therefore consider that the Republic of Serbia has complied with its obligations under Article 46 § 1 of the Convention and respectfully propose to the Committee of Ministers to close its examination of the case *Stajković*.