



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

THIRD SECTION

DECISION

Application no. 7129/15
Dejan SINDELIC and others
against Serbia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 29 August 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 application lodged on 18 July 2014,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

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 J. Mihailović, a lawyer practising in Valjevo.

The applicants' complaints under Article 6 § 1 of the Convention concerning the excessive length of civil proceedings were communicated to the Serbian Government ("the Government").

THE LAW

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the respondent Government cannot be held liable for the excessive length of the impugned administrative proceedings.

The Court notes that the administrative proceedings started on 11 September 2006 when the applicants filed an appeal with the competent second-instance body (see *Počuča v. Croatia*, no. 38550/02, § 30, 29 June

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2006). It would appear that the proceedings are still pending almost thirteen years later. However, exceptionally, the period to be taken into consideration includes also the proceedings before the Constitutional Court since the Constitutional Court quashed the judgments of the Administrative Court in the applicants' case on two occasions (on 22 July 2010 and 29 September 2016). It thereby acted as a court of fourth instance.

As regards the period from 11 September 2006 until 13 March 2014, the Court finds that the applicants can no longer claim to be victims within the meaning of Article 34 of the Convention since, on 13 March 2014, the Constitutional Court expressly acknowledged the alleged breach and awarded the applicants 300 euros each in respect of non-pecuniary damage. Although that amount is lower than those awarded by the Court, the Court considers that it is still reasonable in view of the particular circumstances of this case, notably, the large number of applicants and the rather limited stakes involved in the case.

As to the period after 13 March 2014, the applicants failed to exhaust all effective domestic remedies as required by Article 35 § 1 of the Convention since they should complain again to the Constitutional Court about any further delays (see *Becová v. Slovakia* (dec.), no. 23788/06, 18 September 2007).

The application must therefore be rejected pursuant to Article 35 §§ 1, 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 19 September 2019.

Liv Tigerstedt
Acting Deputy Registrar

Dmitry Dedov
President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention

(excessive length of civil proceedings)

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
7129/15 18/07/2014 (126 applicants)	Dejan SINDELIĆ 22/06/1975 Adam ADAMOVIĆ 15/11/1968 Miloš SPASOJEVIĆ 10/05/1982 Vladimir MIĆIĆ 19/08/1985 Zlatan RANKOVIĆ 12/06/1969 Dragan MARJANOVIĆ 24/08/1964 Milomir JANKOVIĆ 14/05/1962 Ljuboje KOSTADINOVIĆ 07/05/1972 Dragan RIZNIĆ 21/12/1966 Mitar RAJIĆ 08/11/1973 Miladin VASIĆ 23/02/1971 Zoran CVEJIĆ 02/03/1975 Milan IGNJATOVIĆ 21/07/1962 Radosav AKSIĆ	11/09/2006	pending	More than 12 years and 9 months and 16 days 2 levels of jurisdiction	Constitutional Court Už-3201/2011 13 March 2014 300

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	29/09/1969 Milan RADIVOJEVIĆ 22/03/1972 Zoran MITROVIĆ 26/08/1970 Vladimir RAKIĆ 01/05/1980 Vladimir MIJAILOVIĆ 18/11/1973 Milovan JEVTIĆ 15/08/1970 Dragutin ĐURĐEVIĆ 05/07/1966 Miljan STEVIĆ 07/12/1969 Goran ALIMPIĆ 10/11/1969 Slobodan PAVLOVIĆ 14/11/1960 Perica DIKOSAVIĆ 12/01/1976 Mladen ĐEKIĆ 13/06/1978 Sladana LUKIĆ 14/09/1978 Veroljub STOJIĆEVIĆ 21/03/1964 Ivan RAKIĆ 09/06/1974 Dragana JOSIPOVIĆ 06/01/1980 Nikola ĐURIĆ 08/06/1983 Jovica MAKSIMOVIĆ 23/07/1973 Dragan ANDRIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	25/02/1967 Zoran MILOVANOVIĆ 31/10/1969 Milisav DRLJAČIĆ 08/10/1954 Goran MARKOVIĆ 20/09/1969 Željko ADAMOVIĆ 07/03/1968 Gojko SEKULIĆ 28/02/1971 Jovica CVETANOVIĆ 05/11/1969 Duško MARINKOVIĆ 16/11/1966 Radoslav GVOZDENAC 24/08/1961 Slavica ANDRIĆ 10/11/1975 Milan VIŠNJIĆ 26/04/1962 Svetomir MITRAŠINOVIĆ 05/04/1963 Milorad IGNJATOVIĆ 02/03/1966 Branislav OSTOJIĆ 27/05/1968 Slobodan JOVIĆ 21/08/1967 Petar RADOVANOVIĆ 21/07/1962 Maja VUKAŠINOVIĆ 27/02/1980 Slobodan NOVAKOVIĆ 02/03/1970 Dragan PETROVIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	27/02/1962 Nenad PALIĆ 27/03/1977 Milan POPOVIĆ 22/06/1975 Dragiša BLAGOJEVIĆ 30/09/1974 Čeda LAZIĆ 11/03/1975 Goran ĐOKIĆ 11/02/1967 Anica IGNJATOVIĆ 17/01/1981 Dejan ADAMOVIĆ 28/02/1972 Dragan STANOJEVIĆ 27/12/1969 Nebojša VASIĆ 10/02/1973 Zoran DRAŽIĆ 15/10/1968 Goran CVETIĆ 24/03/1973 Danijela KRSMANOVIĆ 23/10/1980 Igor RADOSAVLJEVIĆ 10/07/1984 Miloš JOVIĆ 29/01/1985 Aca BOJIĆ 25/09/1962 Mileta PAVLOVIĆ 16/09/1968 Željko JANKOVIĆ 31/10/1972 Aleksandar GAJIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	13/06/1972 Jovica JOSIĆ 14/05/1974 Borisav ĐORĐIĆ 12/04/1968 Cale CEROVAC 11/09/1971 Zoran NOVIĆIĆ 28/01/1965 Nebojša LAZAREVIĆ 15/03/1981 Branko LAZIĆ 27/12/1983 Zvezdan OKILJEVIĆ 24/06/1963 Bojan PALIĆ 07/01/1980 Milan STEFANOVIĆ 13/09/1963 Goran TADIĆ 25/03/1976 Danijela LAZIĆ 14/04/1982 Suzana JEVTIĆ 03/07/1977 Jasmina MILINKOVIĆ 15/09/1979 Nenad IVANOVIĆ 27/11/1972 Zoran JANKOVIĆ 12/03/1971 Milovan MIHAILOVIĆ 21/06/1979 Milovan IGNJATOVIĆ 22/08/1985 Dragan NOVAKOVIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	18/06/1956 Snežana SELENIĆ 19/02/1974 Dragan NINKOVIĆ 10/10/1964 Zoran MILINKOVIĆ 19/07/1966 Dragan ALIMPIĆ 07/05/1962 Sreten RAŠEVIĆ 14/07/1969 Miroslav SIMIĆ 25/07/1966 Blaža SIMEUNOVIĆ 27/10/1967 Rade VLAJKOVIĆ 20/03/1983 Predrag GRUJIĆ 22/02/1973 Dejan TOŠKOVIĆ 23/05/1969 Miloš JOVANOVIĆ 22/10/1979 Nebojša TADIĆ 17/05/1983 Rade NIKOLIĆ 13/08/1964 Ivana PAJIĆ VULETIĆ 08/11/1983 Rade MITROVIĆ 14/07/1970 Milić MARKOVIĆ 09/01/1963 Branko JEVTIĆ 13/11/1975 Zoran TEŠIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	29/09/1976 Dragan LUKIĆ 20/03/1971 Mile VASIĆ 13/11/1984 Mijailo POPOVIĆ 28/09/1967 Jelena ĐURIĆ 01/05/1981 Zoran RADOVANOVIĆ 14/08/1975 Dragan KRSTIĆ 15/03/1979 Saša NENADOVIĆ 11/08/1972 Miroljub ŽIVKOVIĆ 23/09/1973 Milan MIRKOVIĆ 10/03/1969 Zoran TODIĆ 30/03/1977 Dragomir PAPUČA 09/07/1977 Mirjana PETROVIĆ NINKOVIĆ 20/08/1977 Momir PETROVIĆ 06/04/1961 Dragan PAVLOVIĆ 11/09/1983 Aleksandara PERIĆ 12/11/1968 Slobodan PANTELIĆ 18/05/1983 Snežana JOKIĆ 20/10/1977 Vlada LEKIĆ				

Application no. Date of introduction	Applicants' names Dates of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Relevant domestic decision Domestic award (in euros per applicant)
	09/05/1969 Živko SIMIĆ 16/07/1963 Goran JEVTIĆ 28/10/1972 Dragan VASILJEVIĆ 05/08/1956 Zorica STANOJEVIĆ 07/07/1979				