



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

FOURTH SECTION

DECISION

Application no. 49974/20
Ljubica MARIĆ
against Serbia
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 17 October 2024 as a Committee composed of:

Anne Louise Bormann, *President*,

Sebastian Rădulețu,

Mateja Đurović, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above application lodged on 4 November 2020,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant was represented by Mr G. Avramović, a lawyer practising in Čačak.

The applicant's complaints under Article 6 concerning the composition of the chamber of the Constitutional Court which decided her case (notably, that Judge L.Đ. had previously acted in this case in the capacity of a judge of the Supreme Court of Cassation) were communicated to the Serbian Government ('the Government') on 29 August 2022. Complaints based on the same facts were also communicated under other provisions of the Convention.

The Government submitted that Constitutional Court Judge L.Đ. had been exempted from sitting in that case precisely because she had previously acted in this case. Her name should therefore not have appeared in the composition of the chamber of the Constitutional Court which decided the case. Indeed, on 13 October 2022 the Constitutional Court corrected that clerical error and informed the applicant. The applicant maintained that she did not believe that Judge L.Đ. had in fact been exempted from sitting. However, the Government provided a copy of the minutes of the relevant deliberations clearly stating

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that the President of the Constitutional Court had exempted Judge L.Đ. from sitting in this case and had replaced her with Judge N.P.

THE LAW

In view of the above, the Court considers that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application under Article 37 § 1 *in fine*.

Accordingly, the application should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 14 November 2024.

Viktoriya Maradudina
Acting Deputy Registrar

Anne Louise Bormann
President

MARIĆ v. SERBIA DECISION

APPENDIX

Application no. Date of introduction	Applicant's name Year of birth
49974/20 04/11/2020	Ljubica MARIĆ 1957