



## Judgments and decisions of 10 June 2021

The European Court of Human Rights has today notified in writing 37 judgments<sup>1</sup> and 84 decisions<sup>2</sup>: one Chamber judgment is summarised below;

a separate press release has been issued for another Chamber judgment in the case of *Norwegian Confederation of Trade Unions (LO) and Norwegian Transport Workers' Union (NTF) v. Norway* (application no. 45487/17);

35 Committee judgments, concerning issues which have already been submitted to the Court, and the 84 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

*The judgment summarised below is available only in English.*

### Bajić v. North Macedonia (application no. 2833/13)

The applicant, Branko Bajić, is a Serbian national who was born in 1951 and lives in Belgrade.

The case concerns the capsizing and sinking of the *Ilinden*, a boat on Lake Ohrid, on 5 September 2009, causing the death of 15 Bulgarian tourists who were among the 54 passengers on board, and the subsequent criminal proceedings against the applicant, a shipbuilding engineer and authorised inspector of vessels.

Relying on Article 6 § 1 (right to a fair hearing), the applicant complains that the criminal proceedings against him were unfair on account of a lack of reasons in the domestic courts' judgments regarding his criminal responsibility for the accident, and the non-communication of the public prosecutor's submission in the proceedings before the Supreme Court. He also alleges that the use of written reports he had submitted when questioned as a witness, rendered the proceedings unfair and violated his right not to incriminate himself.

**Violation of Article 6 § 1** on account of the breach of the principle of equality of arms resulting from the failure to communicate to the applicant the public prosecutor's submission before the Supreme Court

**No violation of Article 6 § 1** in respect of the alleged lack of sufficient reasons in the domestic courts' judgments and the alleged breach of the privilege against self-incrimination

#### Just satisfaction:

Non-pecuniary damage: 1,500 euros (EUR)

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<sup>1</sup> Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: [www.coe.int/t/dghl/monitoring/execution](http://www.coe.int/t/dghl/monitoring/execution).

<sup>2</sup> Inadmissibility and strike-out decisions are final.

**Press contacts**

During the current public-health crisis, journalists can continue to contact the Press Unit via [echrpess@echr.coe.int](mailto:echrpess@echr.coe.int).

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**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.