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

FIFTH SECTION

DECISION

Applications nos. 35246/21 and 36032/21
Kristijan KRSTIĆ and Ksenija Fej ATILANO KRSTIC against Serbia
and Marko PAVLOVIĆ against Serbia
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 28 May 2025 as a Committee composed of:

Stéphanie Mourou-Vikström*, President*,
Gilberto Felici,
Kateřina Šimáčková*, judges*,

and Sophie Piquet, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on 12 July 2021 and 16 July 2021 respectively,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. A list of the applicants is set out in the appendix. They were represented by Mr R. Kojić, a lawyer practicing in Belgrade.

2. The Serbian Government ("the Government") were represented by their Agent, Ms Z. Jadrijević Mladar.

3. The case concerns a request for the applicants' extradition to the United States of America. The applicants complained, *inter alia*, that their extradition would be in contravention of Articles 3, 8 and 13 of the Convention.

4. On 13 and 16 July 2021 respectively the Court decided to indicate an interim measure to the respondent Government under Rule 39 of the Rules of the Court. On 16 August 2021 the interim measure was prolonged until 29 September 2021.

5. On 16 December 2021 the Court decided to give notice to the Government of the applicants' complaints indicated above and to declare inadmissible the remainder of the applications. It was further decided to give priority to the applications under Rule 41 of the Rules of the Court.

6. On 21 April 2022 the Government submitted their observations on the admissibility and merits of the applications. These were forwarded on 4 May 2022 to the applicants, who were invited to submit observations in reply by 15 June 2022.

7. On 14 June 2022 the applicants' representative informed the Court that he had lost contact with the applicants.

THE LAW

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

9. The Government asked the Court to strike the applications out of its list of cases for lack of contact between the applicants and their representative and for their failure to submit observations on the admissibility and merits of the case.

10. The Court reiterates that contact between an applicant and his or her representative throughout the proceedings is essential both in order to learn more about the applicant's particular situation and to confirm the applicant's continuing interest in pursuing the examination of his or her application. It also notes that a situation where an applicant's representative has lost touch with his or her client might warrant striking the application out of the list under Article 37 § 1 of the Convention (see, among other authorities, *N.D. and N.T. v. Spain* [GC], nos. 8675/15 and 8697/15, §§ 72-73, 13 February 2020).

11. In the present case, the applicants' representative informed the Court of the loss of contact with them. He did not argue that the Court should continue the examination of the applications (see, *a contrario*, *V.M. and Others v. Belgium* (striking out) [GC], no. 60125/11, § 32, 17 November 2016).

12. Regard being had to the above, the Court considers that it is no longer justified to continue the examination of the applications (Article 37 § 1 (c) of the Convention). In accordance with Article 37 § 1 *in fine*, the Court discerns no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the examination of the application to be continued.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications;

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

Done in English and notified in writing on 19 June 2025.

Sophie Piquet Acting Deputy Registrar	Stéphanie Mourou-Vikström President

APPENDIX

List of cases:

No.	Application no.	Applicant Year of Birth Nationality
1.	35246/21	**Kristijan KRSTIĆ** 1976 Serbian
		Ksenija Fej ATILANO KRSTIĆ 1977 Serbian
2.	36032/21	**Marko PAVLOVIĆ** 1986 Serbian