



## **DECISION TO STRIKE OUT**

**CASE No. CH/99/1929**

**Zdravko RADOŠEVIĆ**

**against**

**THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel, on 5 December 2000 with the following members present:

Ms. Michèle PICARD, President  
Mr. Andrew GROTRIAN, Vice President  
Mr. Dietrich RAUSCHNING  
Mr. Hasan BALIĆ  
Mr. Rona AYBAY  
Mr. Želimir JUKA  
Mr. Miodrag PAJIĆ

Mr. Peter KEMPEES, Registrar  
Ms. Olga KAPIĆ, Deputy Registrar

Having considered the aforementioned application introduced pursuant to Article VIII(1) of the Human Rights Agreement ("the Agreement") set out in Annex 6 to the General Framework Agreement for Peace in Bosnia and Herzegovina;

Adopts the following decision pursuant to Article VIII(3) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced on 24 May 1999. The applicant requested that the Chamber order a provisional measure to take all necessary action to prevent his eviction. The Chamber decided not to order the provisional measure requested.
2. The applicant complains of a decision of the Secretariat for Housing Affairs in Banja Luka ordering his eviction from an apartment which he occupies.
3. On 2 June 1999 the Registry sent a letter to the applicant informing him that his request for provisional measure had been refused and asked him if he intended to pursue the application. The Registry did not receive any answer. On 9 August 1999 the Registry sent a letter by registered mail to the applicant informing him that his application might be struck out of the list if he did not respond within three weeks. The letter was not delivered to the applicant because he had moved out of the apartment. However, the applicant has not been in contact with the Chamber since he filed his application on 24 May 1999.

**II. OPINION OF THE CHAMBER**

4. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the applicant does not intend to pursue the application. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the application to be continued. It follows that the application must be struck out of the list.

**III. CONCLUSION**

5. For these reasons, the Chamber, unanimously,

**STRIKES THE APPLICATION OUT.**

(signed)  
Peter KEMPEES  
Registrar of the Chamber

(signed)  
Michèle PICARD  
President of the First Panel