



## **DECISION TO STRIKE OUT**

**Case no. CH/02/9786**

**Milenko PRUSAC**

**against**

**BOSNIA AND HERZEGOVINA  
and  
THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 7 September 2002 with the following members present:

Mr. Giovanni GRASSO, President  
Mr. Jakob MÖLLER  
Mr. Mehmed DEKOVIĆ  
Mr. Vitimir POPOVIĆ  
Mr. Mato TADIĆ

Mr. Ulrich GARMS, 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)(a) of the Agreement and Rule 52 of the Chamber's Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced on 25 March 2002. The applicant complained that the Steel Company Zenica in Zenica (the “Company”) failed to decide upon his request of 12 November 2001 for purchase of the apartment located at ul Kralja Tvrtka I in Zenica, the Federation of Bosnia and Herzegovina, over which he had occupancy right since 1977.

2. On 11 April 2002 the applicant informed the Chamber that on 9 April 2002 he signed the purchased contract with the Company. On 26 July 2002 the Chamber received a letter from the applicant stating that he purchased his apartment and he therefore withdraws the application before the Chamber.

**II. OPINION OF THE CHAMBER**

3. In accordance with Article VIII(3) of the Agreement, “the Chamber may decide at any point in its proceedings to suspend consideration of, reject or strike out, an application on the ground that (a) the applicant does not intend to pursue her application; ... provided that such a result is consistent with the objective of respect for human rights.”

4. The Chamber notes that the applicant has informed it that he no longer intends to pursue his application. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the application to be continued. The Chamber therefore decides to strike out the application.

**III. CONCLUSION**

5. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATION.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel