



DECISION TO STRIKE OUT

Case no. CH/00/6050

Č.L.

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 4 February 2003 with the following members present:

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Viktor MASENKO-MAVI

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, Deputy Registrar
Ms. Antonia DE MEO, 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 as well as Rule 52 of the Chamber’s Rules of Procedure:

I. FACTS

1. The applicant is a displaced person from Ključ. He occupies the first floor of a house located at Miloša Obilića 143 Street in Prijedor, the Republika Srpska.
2. The applicant claims that the Ministry for Refugees and Displaced Persons, Prijedor Department, orally informed him on 27 July 2000 that he had to vacate the house immediately. On 21 August 2000, the applicant was informed that he would be evicted from the house in Prijedor on the same day; however, the eviction was not carried out as scheduled.
3. According to the applicant, no proceedings have been conducted and no decision has been delivered to him.

II. PROCEEDINGS BEFORE THE CHAMBER

4. The application was introduced on 24 August 2000 and registered on the same day. The applicant alleges violation of his rights as protected under Articles 6(1), 8 and 14 of the European Convention on Human Rights.
5. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the house in Prijedor until he regains possession of his property situated in Ključ or until alternative accommodation is provided to him. On 4 September 2000, the Chamber refused the provisional measure requested.
6. On the 19 September 2000, the Chamber asked the applicant if he wanted to proceed with his application under these circumstances, and if so, to provide certain additional information. He was also cautioned that if he did not reply within one month, the Chamber might conclude that he no longer wished to proceed with his application and decide to strike it out. No reply was received to this letter.
7. On 20 October 2000, the Chamber wrote to the applicant informing him that it had considered his application and asking him to provide certain additional information within three weeks. No reply was received to this letter either.
8. On 10 April 2001, the Chamber sent a reminder letter to the applicant, by registered mail, enclosing a copy of the letter of 20 October 2000 and asking for his reply. The applicant was cautioned that the Chamber might conclude that he no longer wished to proceed with his application and decide to strike it out, if no answer was received within three weeks. On 18 April 2001, the reminder letter was returned to the Chamber. According to the note from the Post Office, the applicant has moved and new address is unknown.
9. The applicant has not informed the Chamber about any new address.

III. OPINION OF THE CHAMBER

10. In accordance with Article VIII(3)(a) 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 his application; ... provided that such a result is consistent with the objective of respect for human rights.”
11. According to Rule 46(6) of the Chamber’s Rules of Procedures, applicants shall keep the Chamber informed of their change of address.
12. Considering that that the applicant has not informed the Chamber of his current address and he has not responded to the letters sent to him, the Chamber can only conclude 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. The Chamber therefore decides to strike out the application.

IV. CONCLUSION

13. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel