



DECISION TO STRIKE OUT

Case no. CH/98/168

Savo GOVEDARICA

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 March 2003 with the following members present:

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Giovanni GRASSO
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 and Rule 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 26 January 1998 and registered on the same day.
2. The case concerns the applicant's attempts to regain possession of his apartment, located at ulica Štrosmajerova 2 in Sarajevo, which he purchased from the former Yugoslav National Army ("JNA") Housing Fund on 26 March 1992.
3. On 29 May 1998, the applicant submitted a request for repossession of his apartment.
4. On 15 November 2002, the Chamber sent a letter, via registered mail, to the applicant's representative requesting him to inform the Chamber as to any developments in the case. The letter cautioned that if he did not respond to it, the Chamber might decide to strike out the application. The Chamber received the signed registered return receipt, but the applicant's representative did not respond.
5. On 14 January 2003, the Chamber sent a second letter, via registered mail, to the applicant's representative, requesting him to inform the Chamber as to the status of the case. The letter cautioned that if he did not respond to it, the Chamber might decide to strike out the application. The Chamber received the signed registered return receipt, but the applicant's representative did not respond.

II. OPINION OF THE CHAMBER

6. 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 his application; ... provided that such a result is consistent with the objective of respect for human rights."
7. Considering that the applicant's representative has failed to respond to the letters the Chamber sent to him, 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. The Chamber therefore decides to strike out the application.

III. CONCLUSION

8. 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