



DECISION TO STRIKE OUT

Case no. CH/00/3972

N. G.

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 5 June 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. INTRODUCTION

1. The application was received by the Chamber on 25 July 2000 and registered on 26 July 2000.
2. The case concerns attempts of the applicant to prevent his eviction from an apartment situated at Vidovdanska Street No. 73 in Gradiška, the Republika Srpska.
3. On 29 September 1993, the allocation right holder issued a procedural decision, allocating the above-mentioned apartment to the applicant for his temporary use.
4. On 8 August 2000, the Chamber wrote to the applicant, asking him to provide certain additional information regarding his case before the Chamber. No reply was received to this letter. On 6 May 2001, the Chamber sent a reminder letter to the applicant. The letter was returned to the Chamber. According to the note from the Post Office, the applicant has moved and his new address is unknown.
5. The applicant has not informed the Chamber about any new contact address.

II. OPINION OF THE CHAMBER

6. 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.”
7. According to Rule 46(6) of the Chamber’s Rules of Procedures, applicants shall keep the Chamber informed of their change of address.
8. Considering that that the applicant has not informed the Chamber of his current contact address and he has not responded to the letters sent to him, making it impossible for the Chamber to communicate with 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, pursuant to Article VIII(3)(a) of the Agreement.

III. CONCLUSION

9. 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