



DECISION TO STRIKE OUT

Case no. CH/02/8185

Vukašin BREZAR

against

THE REPUBLIKA SRPSKA

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

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

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 Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. FACTS

1. The application was received and registered by the Chamber on 23 January 2002.
2. This case concerns the attempts of the applicant to prevent his eviction from the property located at Ulica Moravska no. 38 in Banja Luka, the Republika Srpska.
3. On 12 March 2003, the Chamber wrote to the applicant, by registered mail, asking him to provide certain additional information. 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 15 days. On 14 March 2003, 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.
4. The applicant did not provide the Chamber with any other address or contact person.

II. OPINION OF THE CHAMBER

5. 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.”
6. According to Rule 46(6) of the Chamber’s Rules of Procedures, applicants shall keep the Chamber informed of their change of address.
7. Considering that the applicant has not informed the Chamber of his current address and he has not responded to the letter 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 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, pursuant to Article VIII(3)(a) of the Agreement.

III. CONCLUSION

8. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel