



DECISION TO STRIKE OUT

CASE No. CH/98/1227

Siniša ČEJIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel, on 4 December 2000 with the following members present:

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

Mr. Peter KEMPEES, 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) of the Agreement and Rules 49(2) and 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 15 October 1998. The applicant requested that the Chamber order the respondent Party as a provisional measure to take all necessary action to prevent his eviction. On 15 October 1998 the Chamber ordered the provisional measure requested. However, on 11 September 1999 the Chamber withdrew the provisional measure ordered since it was no longer justified. On 15 October 1998 the Chamber decided to transmit the case to the respondent Party for its observations under Article 8 of the European Convention and Article 1 of Protocol 1 to the European Convention. On 3 September 1999 the Chamber received the respondent Party's observations on admissibility and merits.

2. The applicant complains of a decision of the Ministry for Refugees and Displaced Persons in Gradiška ordering his eviction from an apartment which he occupies.

3. On 22 September 1999 the Registry sent a letter to the applicant informing him that the order for provisional measure had been withdrawn. The Registry did not receive any answer. On 4 April 2000 the Registry sent a letter by registered mail to the applicant informing him that his application might be struck out of the list if he did not respond within three weeks. The Registry did not receive any answer.

II. OPINION OF THE CHAMBER

4. Having regard to Article VIII(3) of the Agreement, 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. It follows that the application must be struck out of the list.

III. CONCLUSION

5. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATION OUT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel