



DECISION TO STRIKE OUT

Cases nos.

**CH/98/1272, CH/98/1280, CH/98/1380, CH/98/1486, CH/98/1496,
CH/98/1686, CH/98/1698, CH/98/1782, CH/98/1796, CH/99/1864,
CH/99/1876 and CH/98/1882**

**Slobodan ZRNIĆ, Olivera VRANJEŠ, Božo STUPAR, Sretko VRHOVAC, Nedeljko KOS,
Predrag GRAČANIN, Vukosava KRŠIĆ, Saša KESER, Slobodan GAJIĆ,
Stojan BILBIJA, Ž.D. and Davor CVIJANOVIĆ.**

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the second panel on 9 February 2001 with the following members present:

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

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

I. INTRODUCTION

1. The applicants are citizens of Bosnia and Herzegovina. They are all occupying property in accordance with different decisions and contracts. The Ministry for Refugees and Displaced Persons of Republika Srpska or the Municipal Secretariat for Urbanism and Housing Communal Affairs have ordered the applicants to vacate the properties in question in accordance with the Law on Use of Abandoned Property (OG RS, No. 3/96, "the old law"). The cases concern the application of Article 30 of the Law on Cessation of Application of the Law on Use of Abandoned Property (OG RS No. 38/98, 12/99 as amended by the High Representative with effect from 27 October 1999, "the new law") which states that all proceedings under the old law, excluding those initiated by persons seeking the return of property into their possession, are terminated ex officio. The facts of the individual cases are set out in Section III below.

II. PROCEEDINGS BEFORE THE CHAMBER

2. The applications were introduced and registered between 18 September 1998 and 24 April 1999. The exact dates in each individual case are set out in Section III below.

3. All applicants requested the Chamber to order the respondent Party, as a provisional measure, to prevent the taking of any steps to evict them from the relevant premises. In ten of the twelve cases the Chamber issued decisions ordering the requested provisional measure. All the applications, where provisional measures were ordered, have been transmitted to the respondent Party for its observations on the admissibility and merits. The other two cases (CH/99/1864 Stojan Bilbija and CH/99/1876 Ž.D.) have not been transmitted to the respondent Party. The respondent Party has submitted its observations in the transmitted cases. The Chamber has in some of the cases received the applicants' further observation but the applicants have in none of the cases submitted a claim for compensation. Evictions have not taken place in any of the cases.

4. At its session in December 1999, the Chamber considered the effect of the amended Article 30 of the new law on the present cases and also on a number of similar cases pending before it. The Chamber decided to write to the Republika Srpska, seeking its views on the amendments to the new law and asking in particular whether further attempts would be made to evict the applicants. On 26 January 2000 the reply of the Republika Srpska was received, in which it said that its relevant organs no longer conducted proceedings under the old law, but rather follow the procedures set out in the new law.

5. On 22 March 2000 the Chamber wrote to the applicants, enclosing a copy of the letter of the Republika Srpska of 26 January 2000. It asked them to state whether, in view of the fact that the proceedings under the old law to evict them are now terminated, they considered the matter to be resolved. In a number of cases the applicants have not replied. The applicants who replied confirmed that the proceedings under the old law to evict them from the properties in question had not been continued.

6. On 9 February 2001 the Second Panel decided to join the application in accordance with Rule 34 of its Rules of Procedure. On the same date the Chamber adopted the present decision.

III. FACTS

1. Case no. CH/98/1272 Slobodan Zrnić

7. The applicant occupies an apartment at Đure Pucara 11/20, Prijedor. The applicant was allocated the apartment temporarily by a decision of 17 May 1995 issued by a company called Žitopromet.

8. On 20 October 1998 the Ministry for Refugees and Displaced Persons requested the local Police for assistance while carrying out an eviction of the applicant from the apartment scheduled for 30 October 1998. The applicant learned about the intended eviction from the police, but the eviction

has however not been carried out.

9. The application to the Chamber was received on 29 October 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

10. On 30 October 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 19 April 1999. On 22 March 2000 the Chamber received the respondent Party's observations.

2. Case no. CH/98/1280 Olivera Vranješ

11. The applicant occupies an apartment at Nikole Pašića 13, Prijedor. The applicant was allocated the apartment by a decision of 26 January 1996 issued by a company called Celpak.

12. On 9 April 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. On 6 August 1998 the applicant filed an appeal against the decision.

13. On 31 July 1998 the Ministry for Refugees and Displaced Persons issued a conclusion authorising the eviction of the applicant from the apartment. The eviction was scheduled for 3 August 1998, but was never carried out. On 10 September 1998 the Ministry for Refugees and Displaced Persons issued a notice informing the applicant that a new eviction was scheduled for 23 September 1998. However this eviction was also not carried out.

14. On 22 September 1998, the Ministry for Refugees and Displaced Persons issued a decision refusing the applicant's appeal of 6 August 1998 as ill-founded.

15. The application to the Chamber was received on 30 October 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent her eviction from the apartment.

16. On 2 November 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 26 February 1999. On 14 November 2000 the Chamber received the respondent Party's observations.

3. Case no. CH/98/1380 Božo Stupar

17. The applicant occupies an apartment at Pečani C3L3, Prijedor. The applicant was allocated the apartment by a decision of 6 May 1997 issued by a company called Mrakovica.

18. On 4 November 1998 the applicant was orally informed by the Ministry for Refugees and Displaced Persons that he was to be evicted on 13 November 1998.

19. The application to the Chamber was received on 5 November 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

20. On 12 November 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 9 June 1999. On 23 March 2000 the Chamber received the respondent Party's observations.

4. Case no. CH/98/1486 Sretko Vrhovac

21. The applicant occupies an apartment at Ilije Stojanovića 12, Prijedor. The applicant moved into the apartment in 1994, with the permission of a company called Mrakovica. By a decision issued by the company on 25 January 1997 the applicant was granted a temporary occupancy right over the apartment. On 25 July 1997 and 25 April 1998, the company issued further decisions extending the applicant's temporary occupancy right over the apartment.

22. On 10 June 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. The applicant alleges that, on an unknown date, he was informally told that his eviction was scheduled for 25 November 1998.

23. The application to the Chamber was received on 17 November 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

24. On 24 November 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. On 22 July 1999 the Chamber received the respondent Party's observations. The applicant's further observations were received on 23 August 1999.

5. Case no. CH/98/1496 Nedeljko Kos

25. The applicant occupies an apartment at Carice Milice 27 (former Braće i Sestara Kafor 11/11), Banja Luka. The applicant was allocated the apartment by a decision of 4 September 1997 issued by the Ministry for Refugees and Displaced Persons.

26. On 11 May 1998 the Municipality Secretariat for Urbanism and Housing Affairs Banja Luka issued a conclusion authorising the applicant's eviction from the apartment. The applicant appealed against this conclusion to the Ministry for Urbanism, Housing Communal Affairs, Public Construction and Ecology, which on 29 September 1998 issued a decision annulling the conclusion of 11 May 1998. The matter was referred back to the Municipality Secretariat for Urbanism and Housing Affairs Banja Luka, which has not issued any decision.

27. On 20 October 1998 the Ministry for Refugees and Displaced Persons issued a decision annulling the applicant's right to reside in the apartment.

28. On 19 November 1998 the Municipal Administration of Banja Luka issued a conclusion scheduling the applicant's eviction for 24 November 1998.

29. The application to the Chamber was received on 23 November 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

30. On 24 November 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 8 April 1999. On 6 June 2000 the Chamber received the respondent Party's observations.

6. Case no. CH/98/1686 Predrag Gračanin

31. The applicant occupies a house located at Manastira Gomionice 33, Banja Luka. The applicant has lived in the house since 17 August 1995, in accordance with a rental contract he entered into with the owner of the house.

32. On 21 November 1996 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the house and allocating it to another person. On 16 December 1996 the applicant filed an appeal against this decision but on 23 December 1996 the Ministry for Refugees and Displaced Persons refused the appeal.

33. On 30 December 1996 the applicant and the owner of the house entered into a new contract entitling the applicant to reside in one part of the house, while the other part was to be used by the owner.

34. On 28 February 1997 the applicant appealed to the Supreme Court of Republika Srpska against the decision issued by the Ministry for Refugees and Displaced Persons on 23 December 1996. The Supreme Court has not passed any decision.

35. On 6 September 1998 the Ministry for Refugees and Displaced Persons issued another decision ordering the applicant's eviction. The applicant filed an appeal against this decision on 6 November 1998, but the Ministry for Refugees and Displaced Persons has not decided upon the appeal. The Ministry for Refugees and Displaced Persons has tried to evict the applicant on a few occasions but has failed because of different reasons.

36. The application to the Chamber was received on 10 December 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

37. On 17 December 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant did not submit any further observations. On 6 June 2000 the Chamber received the respondent Party's observations.

7. Case no. CH/98/1698 Vukosova Kršić

38. The applicant occupies an apartment located at Filipa Višnjića 52/35, Doboj. The applicant was allocated the apartment by a decision of 10 October 1995 issued by a company called Bosanka. On 20 February 1996 the applicant entered into a twelve month contract on the use of the apartment.

39. On 25 November 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. On 27 November 1998 the Ministry for Refugees and Displaced Persons issued a conclusion ordering the eviction of the applicant. The eviction was scheduled for 8 December 1998, but postponed until 18 December 1998.

40. On 3 December 1998 Bosanka issued a decision allocating the apartment for an undetermined period of time to the applicant.

41. On 11 December 1998 the applicant filed an appeal against the conclusion of 27 November 1998.

42. On 10 February 1999 the applicant entered into a permanent contract on use of the apartment.

43. The application to the Chamber was received on 16 December 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent her eviction from the apartment.

44. On 17 December 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. On 16 April 1999 the Chamber received the respondent Party's observations. The applicant's further observations were received on 7 July 1999. On 22 March 2000 the Chamber received the respondent Party's further observations.

8. Case no. CH/98/1782 Saša Keser

45. The applicant occupies an apartment located at Majke Jevrosima 26, Banja Luka. On 22 June

1993 he entered into a twelve-month contract on the use of the apartment with the Municipality of Banja Luka.

46. On 11 August 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. On 13 August 1998 he appealed against this decision to Ministry for Refugees and Displaced Persons.

47. The application to the Chamber was received on 17 December 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

48. On 17 December 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 3 September 1999. On 23 March 2000 the Chamber received the respondent Party's observations.

9. Case no. CH/98/1 796 Slobodan Gajić

49. The applicant occupies an apartment located at Đenerala Đraže 29/16, Doboj. He was allocated the apartment temporarily by a decision of 24 January 1995 issued by the Ministry of Internal Affairs in Doboj.

50. On 10 December 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. On 18 December 1998 he appealed against the decision. On 21 December 1998 the Ministry for Refugees and Displaced Persons issued a conclusion scheduling his eviction for 25 December 1998.

51. The application to the Chamber was received on 24 December 1998 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

52. On 25 December 1998 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. The applicant's further observations were received on 16 August 1999. On 23 March 2000 the Chamber received the respondent Party's observations.

10. Case no. CH/99/1864 Stojan Bilbija

53. The applicant occupies an apartment located at Mitropolita Petra Zimonjića G-3, Prijedor. On 2 July 1996 the applicant entered into a twelve-month lease contract on use of the apartment with the holder of the occupancy right. According to the contract, the applicant would share the apartment with the occupancy right holder.

54. On 16 December the allocation right holder initiated proceedings to have the applicant evicted from the apartment before the Municipal Secretariat for Urbanism and Housing Communal Affairs. On 9 February 1999 Municipal Secretariat for Urbanism and Housing Communal Affairs issued a decision ordering the applicant to vacate the apartment. A conclusion authorising the applicant's eviction and scheduling it for 10 May 1999 was also issued on the same date by the same organ. On 10 March 1999 the applicant appealed against the decision.

55. The application to the Chamber was received on 11 March 1999 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

56. On 13 May 1999 the Chamber sent a letter to the applicant informing him that his request for provisional measure had been rejected. The Chamber did not transmit the application to the respondent Party for its observation on the admissibility and merits.

11. Case no. CH/99/1876 Ž.D.

57. The applicant occupies an apartment located at Kralja Dragutina 8/4, Doboj. The applicant was allocated the apartment temporarily by a decision of 6 December 1995 issued by a company called Željeznice Republike Srpske (ŽRS). On 15 March 1999 ŽRS renewed the decision on allocation and on the same date the applicant entered into temporary contract with ŽRS on use of the apartment.

58. On 21 August 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant's eviction from the apartment. The applicant appealed against the decision. On 15 September 1998 the Ministry for Refugees and Displaced Persons issued a conclusion scheduling the eviction for 18 September 1998. The eviction was not carried out and on 15 March 1999 the Ministry for Refugees and Displaced Persons issued another conclusion scheduling the eviction for 25 March 1999.

59. The application to the Chamber was received on 19 March 1999 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

60. On 23 March 1999 the Chamber decided to reject the applicant's request for provisional measure. The Chamber did not transmit the application to the respondent Party for its observation on the admissibility and merits.

12. Case no. CH/98/1882 Davor Cvijanović

61. The applicant occupies an apartment located at Solunskih Dobrovoljaca 35/80, Doboj. The applicant was allocated the apartment by a decision of 26 May 1997 issued by the Ministry for Internal Affairs. On 2 September 1997 the applicant entered into a contract on permanent use of the apartment with the Housing Company of Doboj

62. On 19 November 1998 the Ministry for Refugees and Displaced Persons issued a decision ordering the applicant to vacate the apartment. On 26 November 1998 the applicant appealed against the decision. In March 1999 the Ministry for Refugees and Displaced Persons issued a conclusion scheduling the eviction for 24 March 1999.

63. The application to the Chamber was received on 22 March 1999 and registered on the same day. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary steps to prevent his eviction from the apartment.

64. On 24 March 1999 the Chamber ordered the respondent Party, as a provisional measure, to prevent the taking of any steps to evict the applicant from the relevant premises. Further, the Chamber decided to transmit the application to the respondent Party for its observations on the admissibility and merits. On 20 April 1999 the Chamber received the respondent Party's observations. The applicant's further observations were received on 3 June 1999. On 22 March 2000 the Chamber received the respondent Party's further observations.

IV. RELEVANT LEGAL PROVISIONS**1. The Law on the Use of Abandoned Property**

65. The Law on the Use of Abandoned Property (Official Gazette of the Republika Srpska, "OG RS", No. 3/96, "the old law") was adopted by the National Assembly of the Republika Srpska on 21

February 1996. It establishes a legal framework for the administration of abandoned property and defines what forms of property are to be considered as abandoned. Further it sets out the categories of persons to whom abandoned property may be allocated. (The provisions of the old law, insofar as they are relevant to the present cases, are summarised below.)

66. Articles 2 and 11 define “abandoned property” as real and personal property that has been abandoned by its owners and which is entered into the register of abandoned property. Types of property which may be declared abandoned include apartments (both privately and socially owned) and houses.

67. Article 3 states that abandoned property is to be temporarily protected and managed by the Republika Srpska. To this end, the Ministry is obliged, in Article 4, to establish commissions to carry out this task. Article 6 states that these commissions shall issue decisions on the allocation of abandoned property. The preparation of registers of abandoned property is to be carried out by the appropriate administrative bodies in each municipality.

68. Article 10 deals with the rights of these commissions to pass decisions to evict persons from the relevant properties.

69. Articles 39-42 set out the terms upon which the owner of a property which has been declared abandoned may seek to regain possession of it.

2. The Law on the Cessation of the Application of the Law on the Use of Abandoned Property

70. The Law on the Cessation of the Application of the Law on the Use of Abandoned Property of 11 December 1998 (OG RS No. 38/98, “the new law”) establishes a detailed framework for persons to regain possession of property considered to be abandoned.

71. Article 1 states that the provisions of this law applies to all real property, including privately-owned business premises, privately-owned houses and privately-owned apartments, and apartments with occupancy right which were vacated since 30 April 1991, whether or not the real property or apartment was declared abandoned: provided that the owner, possessor or user lost possession of the real property or the occupancy right holder lost possession of the apartment before 19 December 1998.

72. Article 2 states that all decisions made under the old law granting temporary or permanent rights to occupy property shall be treated as being of a temporary nature and shall remain effective until cancelled in accordance with the new law. Article 2 states further that any occupancy right or contract made between 1 April 1992 and 19 December 1998 is cancelled.

73. Article 3 gives the owner, possessor or user of real property who abandoned such property the right to repossess it and enjoy it on the same terms as he/she did before 30 April 1991 or the date of its becoming abandoned. Article 4 states that the terms “owner”, “possessor” or “user” shall mean the persons who had such status under the applicable legislation at the time the property concerned became abandoned.

74. Article 30 of this law, as amended on 27 October 1999, has the effect that all proceedings under the old law are, *ex lege*, put out of force, other than proceedings initiated by persons seeking the return of property.

V. COMPLAINTS

75. The applicants complain in general of the attempts to evict them from the properties in question.

VI. SUBMISSIONS OF THE PARTIES

76. In the cases where the respondent Party has submitted observations on the admissibility and merits it is of the opinion that the applications should be declared inadmissible as manifestly ill-founded. The respondent Party refers to the new law (i.e. Article 2) and states that the applicants do not have any legal grounds to use the apartments or houses, because they moved into the houses or apartments between 1 April 1992 and 19 December 1998.

77. The Chamber has written to the Republika Srpska, seeking its views on the new Article 30 in the new law, inserted by amendments adopted by the High Representative on 27 October 1999. The Chamber asked in particular whether further attempts would be made to evict the applicants. The Republika Srpska stated that its relevant organs no longer conducted proceedings under the old law, but rather follow the procedures set out in the new law.

78. The Chamber has asked the applicants to state whether, in view of the fact that the proceedings under the old law to evict them are now terminated, they considered the matter to be resolved. In a number of cases the applicants have not replied. The applicants who replied confirmed that the proceedings under the old law to evict them from the properties in question had not been continued.

VII. OPINION OF THE CHAMBER

79. According to Article VIII(3) of the Agreement, the Chamber may at any point decide to strike out an application on the ground that (a) the applicant does not intend to pursue his application; (b) the matter has been resolved; or (c) for any other reason established by the Chamber, it is no longer justified to continue the examination of the case. In all these situations, however, a decision to strike out an application must be consistent with the objective of respect for human rights.

80. The Chamber notes that the applicants started to occupy the properties in question between 22 June 1993 and 4 September 1997, a period which falls between 1 April 1992 and 19 December 1998. The applicants are in some cases to be considered as illegal occupants and in some cases to be considered as temporary occupants under Article 1 of the new law.

81. The Chamber notes that Article 30 of the new law (see paragraph 73) has the effect of suspending all proceedings under the old law, other than those initiated by persons seeking to regain possession of property. The Republika Srpska has confirmed that its relevant organs no longer conduct proceedings under the old law. In addition, the applicants who responded to the letter of the Chamber of 22 March 2000 have confirmed the statement of the respondent Party. Furthermore, there are no allegations or evidences that further attempts to evict the applicants have been conducted under the old law.

82. The Chamber therefore considers that there is no prospect of the applicant being evicted from the properties in question under the old law.

83. In conclusion, having regard to Article VIII(3) of the Agreement, the Chamber finds that since there is no prospect of the applicants being evicted from the property in question under the old law, the matters raised in the applications have been resolved. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the applications to be continued. It follows that the applications must be struck out of the list. As a consequence of this decision, the provisional measures issued in cases nos. CH/98/1272 Slobodan Zmić, CH/98/1280 Olivera Vranješ, CH/98/1380 Božo Stupar, CH/98/1486 Sretko Vrhovac, CH/98/1496 Nedeljko Kos, CH/98/1686 Predrag Gračanin, CH/98/1698 Vukosova Kršić, CH/98/1782 Saša Keser, CH/98/1796 Slobodan Gajić and CH/98/1882 Davor Cvijanović are withdrawn.

VIII. CONCLUSION

84. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATIONS OUT; and

WITHDRAWS ITS ORDERS FOR PROVISIONAL MEASURES WITH IMMEDIATE EFFECT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel