



## **DECISION TO STRIKE OUT**

**Case no. CH/98/1350**

**Fehima ZUKO**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 8 November 2002 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. Ulrich GARMS, 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)(a) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced and registered on 4 December 1998.
2. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary action to prevent her eviction from an apartment which she occupies. On 14 December 1998 the Chamber Panel decided not to order the provisional measure requested.
3. The applicant complains of a decision of the Municipal Housing Department, Novo Sarajevo, ordering her eviction from an apartment which she occupies.
4. On 15 June 2001 and 4 October 2002 the Chamber sent letters by registered mail asking the applicant whether she wished to continue with her application before the Chamber. These letters were both returned to the Chamber as undeliverable.
5. The applicant has never informed the Chamber about any new address.

**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. According to Rule 46(5) of the Chamber’s Rules of Procedures, applicants shall keep the Chamber informed of their change of address.
8. Considering that the applicant has not informed the Chamber of her current address, and that the Chamber has been unable to reach the applicant, 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.

**III. CONCLUSION**

9. For these reasons, the Chamber unanimously,

**STRIKES OUT THE APPLICATION.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel