



## **DECISION TO STRIKE OUT**

**Case nos. CH/99/1937, CH/99/1968 and CH/99/1983**

**Milorad JOKIĆ, Mitar PILIPOVIĆ and Jovan RADIĆ**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

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 applications 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 34, 49(2) and 52 of the Chamber's Rules of Procedure:

## **I. INTRODUCTION**

1. In the following cases the Chamber attempted to contact the applicants to obtain updated information on their applications, but they failed to provide the Chamber with their new contact addresses.

2. Considering the similarity between the facts of the cases and the complaints of the applicants, the Chamber decided to join the present applications in accordance with Rule 34 of the Chamber's Rules of Procedure on the same day it adopted the present decision.

### **A. CH/99/1937 Milorad JOKIĆ**

3. The application was introduced on 2 June 1999 and registered on the same day.

4. The applicant complains that he was physically and mentally abused and humiliated during his detention that took place in prisons in Livno and Mostar between 13 September 1995 and 27 January 1996. The applicant alleges violations of Articles 3, 4, and 5 of the European Convention on Human Rights ("the Convention"). He further alleges a violation of Article 13 of the Convention in connection with Articles 3, 4, 5, and 26 and a violation of Article 14 of the Convention in connection with Articles 3, 4, and 5.

5. On 20 February 2003, the Chamber sent a letter to the applicant via registered mail requesting him to update the status of his case. The letter was returned to the Chamber with the notation "moved". The applicant has not provided the Chamber with any new contact address.

### **B. CH/99/1968 Mitar PILIPOVIĆ**

6. The application was introduced on 2 July 1999 and registered on the same day.

7. The applicant complains that he was physically and mentally abused, forced to work, and humiliated during his detention that took place in prison in Sanski Most between 17 October 1995 and 27 January 1996. The applicant alleges violations of Articles 3, 4, and 5 of the Convention. He further alleges a violation of Article 13 of the Convention in connection with Articles 3, 4, 5, and 26 and a violation of Article 14 of the Convention in connection with Articles 3, 4, and 5.

8. On 20 February 2003, the Chamber sent a letter to the applicant via registered mail requesting him to update the status of his case. The letter was returned to the Chamber with the notation "moved". The applicant has not provided the Chamber with any new contact address.

### **C. CH/99/1983 Jovan RADIĆ**

9. The application was introduced on 21 July 1999 and registered on the same day.

10. The applicant complains that he was physically and mentally abused and humiliated during his detention that took place in prison in Travnik between 13 July 1995 and 27 January 1996. He alleges violations of Articles 3, 4, and 5 of the Convention. He further alleges a violation of Article 13 of the Convention in connection with Articles 3, 4, 5, and 26 and a violation of Article 14 of the Convention in connection with Articles 3, 4, and 5.

11. On 20 February 2003, the Chamber sent a letter to the applicant via registered mail requesting him to update the status of his case. The letter was returned to the Chamber with the notation "moved". The applicant has not provided the Chamber with any new contact address.

## **II. OPINION OF THE CHAMBER**

12. 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.”

13. Rule 46(6) of the Chamber’s Rules of Procedure states that “applicants shall keep the Chamber informed of any change of their address”.

14. Considering that the applicants did not respond to the Chamber’s letters and did not provide the Chamber with a new contact address so that it may communicate with them about their applications, the Chamber can only conclude that the applicants do not intend to pursue their respective applications. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the applications to be continued. The Chamber therefore decides to strike out the applications pursuant to Article VIII(3)(a) of the Agreement.

**III. CONCLUSION**

15. For these reasons, the Chamber, unanimously,

**JOINS THE APPLICATIONS and  
STRIKES OUT THE APPLICATIONS.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Michèle PICARD  
President of the First Panel