



## **DECISION TO STRIKE OUT**

**CASE No. CH/99/2042**

**Mušir BRKIĆ**

**against**

**BOSNIA AND HERZEGOVINA  
AND  
THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 10 November 2000 with the following members present:

Mr. Giovanni GRASSO, President  
Mr. Viktor MASENKO-MAVI, Vice-President  
Mr. Jakob MÖLLER  
Mr. Mehmed DEKOVIĆ  
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(3) of the Agreement as well as Rule 52 of the Chamber’s Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced on 10 February 1999 and registered on 15 April 1999. The applicant complains that the respondent Parties enacted laws which retroactively annulled all contracts on purchase of apartments from the former JNA. The applicant concluded such contract on 4 February 1992. In his letter dated 3 August 2000, the applicant informed the Chamber that he did not want to pursue the proceedings.

**II. OPINION OF THE CHAMBER**

2. 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**

3. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATION**

(signed)  
Peter KEMPEES  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel