



DECISION TO STRIKE OUT

Case nos. CH/99/2662, CH/99/2699, CH/99/2701 and CH/00/4403

Kasim RAMIĆ, Emir RAMIĆ, Hajra RAMIĆ and Ahmed DELIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 2 April 2003 with the following members present:

Ms. Michèle PICARD, President
Mr. Miodrag PAJIĆ, Vice-President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Rona AYBAY
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 Article VIII(3)(a) of the Agreement and Rules 34, 36(6), 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. In the following applications the applicants have not informed the Chamber of their current addresses and the Chamber has been unable to reach the applicants.
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.

II. FACTS AND PROCEEDINGS

A. CH/99/2662 Kasim RAMIĆ

3. The application was introduced on 8 July 1999 and registered on the same day.
4. The applicant complained of his inability to repossess his pre-war house, located at Ulica Holuč no. 1, Strmac, in Rogatica.
5. On 11 September 2002, the Chamber sent a letter via registered mail to the applicant requesting an update on the status of the case.
6. The letter sent to the applicant was returned to the Chamber as undeliverable. On 12 February 2003, the Chamber sent a second letter via registered mail to the applicant's pre-war address. The second letter was also returned to the Chamber as undeliverable.
7. The applicant did not provide the Chamber with any other address or contact person.

B. CH/99/2699 Emir RAMIĆ

8. The application was introduced on 08 July 1999 and registered on the same day.
9. The applicant complained of his inability to repossess his pre-war house, located at Ulica Holuč no. 1, Strmac, in Rogatica.
10. On 11 September 2002, the Chamber sent a letter via registered mail to the applicant requesting an update on the status of the case.
11. The letter sent to the applicant was returned to the Chamber as undeliverable. On 12 February 2003, the Chamber sent a second letter via registered mail to the applicant's pre-war address. The second letter was also returned to the Chamber as undeliverable.
12. The applicant did not provide the Chamber with any other address or contact person.

C. CH/99/2701 Hajra RAMIĆ

13. The application was introduced on 8 July 1999 and registered on the same day.
14. The applicant complained of her inability to repossess her pre-war house, located at Ulica Holuč no. 1, Strmac, in Rogatica.
15. On 20 September 2002, the Chamber sent a letter via registered mail to the applicant requesting an update on the status of the case.
16. The letter sent to the applicant was returned to the Chamber as undeliverable. On 12 February 2003, the Chamber sent a second letter via registered mail to the applicant's pre-war address. The second letter was also returned to the Chamber as undeliverable.

17. The applicant did not provide the Chamber with any other address or contact person.

D. CH/00/4403 Ahmed DELIĆ

18. The application was introduced on 23 March 2000 and registered on the same day.

19. The case concerns the applicant's attempts to regain possession of his pre-war property, located at Ulica Kosovska no.86, in Janja.

20. On 26 October 2001, the Chamber transmitted the application to the Republika Srpska for its observations on the admissibility and merits under Article 6 of the European Convention on Human Rights (the "Convention") and Article 1 of Protocol No. 1 to the Convention. The respondent Party sent its observations on 10 December 2001. The Chamber had further correspondence with both parties and the applicant regularly informed the Chamber about modifications to his contact address.

21. However, on 10 December 2002, the Chamber sent a letter to the applicant asking him for information on further developments in his case. The letter was returned to the Chamber with the notation that the applicant had moved to the United States.

22. The applicant did not provide the Chamber with any other address or contact person.

III. OPINION OF THE CHAMBER

23. 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."

24. According to Rule 46(6) of the Chamber's Rules of Procedures, applicants shall keep the Chamber informed of their change of address.

25. Considering that the applicants have not informed the Chamber of their current addresses, and that the Chamber has been unable to reach the applicants, 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.

IV. CONCLUSION

26. 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