DECISION TO STRIKE OUT

Case no. CH/99/3410

Milorad ŽUŽA

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 12 October 2001 with the following members present:

Mr. Viktor MASENKO-MAVI, Acting 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:

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I. INTRODUCTION

1. The application was introduced on 24 December 1999.

2. The applicant complained of his inability to return to his pre-war apartment located at Ulica Emila Zole 9/II in Sarajevo.

3. On 30 July 2001 the applicant informed the Chamber that he had been reinstated into his apartment and that he therefore did not wish to pursue the proceedings before the Chamber.

II. OPINION OF THE CHAMBER

4. 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 result is consistent with the objective of respect for human rights."

5. The Chamber finds that the applicant does not wish to pursue his 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, finds it appropriate to strike out the application.

III. CONCLUSION

6. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Viktor MASENKO-MAVI
Acting President of the Second Panel