



## **DECISION TO STRIKE OUT**

**CASE No. CH/00/6146**

**Tomislav and Ruža OSTOJIĆ**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel, on 6 April 2001 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. 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 and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced on 15 September 2000.
2. The applicants complaint of the non-enforcement of a decision issued by the Commission for Real Property Claims of Displaced Persons and Refugees on 8 October 1998 (decision no. 102 – 839 - 1/1) confirming their right to regain possession of their apartment.
3. On 7 March 2001 the applicants' representative, at the wish of the applicants, informed the Chamber in writing that the applicants had repossessed their apartment. The representative suggested that the Chamber strike the application out of its list.

**II. OPINION OF THE CHAMBER**

4. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the applicants do not intend to pursue their application. 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**

5. For these reasons, the Chamber, unanimously

**STRIKES THE APPLICATION OUT.**

(signed)  
Peter KEMPEES  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel