



DECISION TO STRIKE OUT

Case no. CH/98/136

Razija BRATANOVIĆ

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 5 September 2002 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. 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:

I INTRODUCTION

1. The application was introduced on 21 January 1998 by Mr. Husein Bratanović. On 20 May 1998 Mrs. Razija Bratanović, a widow of Mr. Bratanović, informed the Chamber that her husband died on 13 April 1998 and that she will pursue the application
2. The case concerns the applicant's attempts to register her ownership over an apartment located at Aleja bosanskih vladara 27/II in Tuzla.
3. On 10 November 2000 the applicant submitted a written statement by which she withdrew the application pending before the Chamber, because she had registered her ownership rights over the apartment with the land registry in the Municipal Court in Tuzla.

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 a result is consistent with the objective of respect for human rights."
5. The Chamber notes that the applicant does not intend to pursue her application as the matter has been resolved. 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 decides to strike out the application.

III CONCLUSION

6. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATION OUT.

(signed)
Ulrich Garms
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel