



DECISION TO STRIKE OUT

Case no. CH/98/705

Ljiljana IMAMOVIĆ

against

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

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 December 2002 with the following members present:

Ms. Michèle PICARD, President
Mr. Rona AYBAY, Vice-President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ
Mr. Andrew GROTRIAN

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 Article VIII(3)(b) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 17 June 1998 and registered on the same day.
2. The case concerns the applicant's attempts to register herself as the legal owner of an apartment of the former Yugoslav National Army ("JNA") located at Centar 2-D, Iamela III, Travnik, the Federation of Bosnia and Herzegovina.
3. The applicant notified the Chamber in a letter received on 11 October 2002 that she had succeeded in registering herself as the legal owner of the apartment in question. She did not specifically indicate whether she wished to continue or cease 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 (b) the matter has been resolved; ... provided that such a result is consistent with the objective of respect for human rights."
5. The Chamber notes that the applicant has informed it that she has succeeded in being registered as the lawful owner of the apartment in question. That being so, the Chamber considers that the main issue raised in the application 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 pursuant to Article VIII(3)(b) of the Agreement.

III. CONCLUSION

6. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel