



DECISION TO STRIKE OUT

Case nos. CH/98/200 and CH/98/210

Vera ĐOKIĆ and Ruža JURIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 March 2003 with the following members present:

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Giovanni GRASSO
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Viktor MASENKO-MAVI

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 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 applications were introduced on 16 September 1996 and 6 January 1997 with the Ombudsperson for Bosnia and Herzegovina. On 17 February 1998, the Ombudsperson for Bosnia and Herzegovina referred the cases to the Chamber.
2. The cases concern the applicants' attempts to regain possession of their pre-war apartments, located in Sarajevo.
3. The cases were transmitted to the respondent Party for its observations on 1 June 1998. The respondent Party submitted its written observations on 29 June 1998.
4. On 18 September 2001, the respondent Party submitted additional observations in which it informed the Chamber that the applicants had regained possession of their pre-war apartments in 1998. The applicants confirmed this information and stated that they do not wish to pursue their applications any longer.
5. 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. OPINION OF THE CHAMBER

6. 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."
7. The Chamber notes that the applicants have informed it that they do not intend to pursue their 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.

III. CONCLUSION

8. For these reasons, the Chamber, unanimously,

**JOINS THE APPLICATIONS and
STRIKES OUT THE APPLICATIONS.**

(signed)
Ulrich Garms
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel