



DECISION TO STRIKE OUT

Case no. CH/02/9307

R. L.

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 2 April 2003 with the following members present:

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

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, Deputy Registrar
Ms. Antonia DE MEO, 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 Rule 49(2) of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 25 February 2002 and registered on the same day.
2. The case concerns the applicant's attempts to regain possession of her apartment, located at ulica Malta 13/IV in Sarajevo, the Federation of Bosnia and Herzegovina, which she purchased from the former Yugoslav National Army ("JNA") Housing Fund on 10 February 1992.
3. On 21 February 2003, the applicant's representative informed the Chamber that the applicant had repossessed her apartment on 19 February 2003 and that the Chamber's assistance was therefore no longer necessary.

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. Considering that the applicant's representative has specifically stated that the Chamber's assistance is no longer necessary, and that the applicant has entered into possession of her apartment, the Chamber finds that the applicant does not wish to pursue the 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 decides 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)
Michèle PICARD
President of the First Panel