



## **DECISION TO STRIKE OUT**

**Case nos. CH/00/6431, CH/00/6437, CH/00/6438,  
CH/00/6448, CH/00/6450, CH/00/6451,  
CH/00/6457, CH/00/6458, CH/00/6461, CH/00/6464,  
CH/00/6472, CH/00/6480, CH/00/6481,  
CH/00/6485, CH/00/6487, CH/00/6490, CH/00/6495,  
CH/00/6496, CH/00/6500, CH/00/6510,  
CH/00/6514, CH/00/6479, CH/00/6473, CH/00/6474  
and CH/00/6477**

**Đorđe and Božana RAŠOVIĆ, Borislava JANJIĆ, Zdravko and Desanka JANJIĆ,  
Dervo and Fatima MIČIJEVIĆ, Savo and Milena KRAVIĆ, Olga IVELJA,  
Borika MEDAN, Borika RADOJČIĆ, Milenka ČABRILO, Nedeljko and Mira MEDAN,  
Željka PIKULA, Marko and Mileva BUTULIJA, Kosta and Danica TEŠANOVIĆ,  
Desanka TELEBAK, Emina GREBOVIĆ, Envera ČEVRO, Ramiz and Raba MERDAN,  
Salih and Fatima LETO, Edhem KAJIĆ, Mugdim and Senada LJELJAK,  
Ibrahim and Medina FAJIĆ, Milan and Ljubica BOŽIĆ, Vasilija PEJIĆ, Velimir SAMARDŽIĆ  
and Jovan and Mirjana ČVORO**

**against**

## **THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 4 July 2003 with the following members present:

Ms. Michèle PICARD, President  
Mr. Miodrag PAJIĆ, Vice-President  
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 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)(b) of the Agreement and Rules 34, 49(2) and 52 of the Chamber's Rules of Procedure:

## **I. INTRODUCTION**

1. On 30 November 2000, all the above applications were introduced by the applicants' representative, the American Refugee Committee - Legal Aid Center ("the ARC"). The applicants filed their applications with a view to repossessing their pre-war apartments, located in Mostar.
2. On 27 March 2003, the Federation of Bosnia and Herzegovina informed the Chamber that the applicants had been reinstated into possession of their pre-war apartments. It further submitted the minutes taken during the reinstatement processes of the applicants, each of them signed by the respective applicants.
3. On 4 April 2003, the Chamber invited the applicants' representative to inform it whether the applicants intended to pursue their applications before the Chamber and if so, on which grounds. The Chamber cautioned the ARC that if it failed to respond within two weeks, the Chamber might decide to strike out the applications. According to the registered return receipt, the ARC received the Chamber's letter on 7 April 2003.
4. The deadline set for the ARC's answer has expired and the Chamber has not received any response from the applicants' representative.
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 ... (b) the matter has been resolved; ... provided that such a result is consistent with the objective of respect for human rights."
7. Considering that the Chamber has received information that the applicants have entered into possession of their pre-war apartments, the Chamber finds that the matter raised in the applications has been resolved. 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 pursuant to Article VIII(3)(b) of the Agreement.

## **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)  
Michèle PICARD  
President of the First Panel