



DECISION TO STRIKE OUT

Case no. CH/98/206

Mato MILETIĆ

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 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 7 October 1996 with the Ombudsperson for Bosnia and Herzegovina. On 17 February 1998, the Ombudsperson for Bosnia and Herzegovina referred the case to the Chamber.
2. The case concerns the applicant's attempts to regain possession of his pre-war apartment, located in Sarajevo, at Marka Marulića Street no. 21/13.
3. The case was 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 29 September 2000, the respondent Party informed the Chamber that the applicant had regained possession of his pre-war apartment.
5. On 21 February 2003, the applicant informed the Chamber that he had regained possession of his apartment two years ago and he has purchased it. Consequently, he withdraws his application pending before the Chamber.

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 applicant has informed it that he does not intend to pursue his 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

8. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich Garms
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel