



DECISION TO STRIKE OUT

Case nos. CH/98/658, CH/98/717, CH/98/995 and CH/98/1052

Mirjana RONČEVIĆ, Vladimir URBANČIĆ, Midhat AGANOVIĆ and P.R.M.

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

Case no. CH/98/728

Jovan STEPANOVIĆ

against

BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 3 July 2003 with the following members present:

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER, Vice-President
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)(b) of the Agreement and Rules 34, 49(2) and 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. The cases concern the applicants' attempts to return into possession of their pre-war apartments and/or to register their ownership over their respective apartments, which they had purchased from the former JNA (Yugoslav National Army) Housing Fund prior to the armed conflict. The Chamber sent letters to all the applicants between 31 March and 20 May 2003, asking them to confirm whether they had succeeded in repossessing and/or being registered as the owner of their apartments. All the applicants responded positively.

2. 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.

A. CH/98/658 Mirjana RONČEVIĆ

3. The application was introduced on 21 May 1998 and registered on 9 June 1998.

4. The apartment in question is located at Ulica Semira Frašte 5 in Sarajevo, the Federation of Bosnia and Herzegovina.

5. On 21 April 2003, the applicant's friend, as the applicant is deceased, informed the Chamber that she had repossessed the apartment in question and had succeeded in being registered as the owner of the apartment.

B. CH/98/717 Vladimir URBANČIĆ

6. The application was introduced on 24 June 1998 and registered on the same day.

7. The apartment in question is located at Ulica Kolodvorska 13 in Sarajevo, the Federation of Bosnia and Herzegovina.

8. On 12 June 2003, the applicant informed the Chamber that he had repossessed the apartment in question and had succeeded in being registered as the owner of the apartment.

C. CH/98/995 Midhat AGANOVIĆ

9. The application was introduced on 30 September 1998 and registered on 1 October 1998.

10. The apartment in question is located at Ulica S.S. Kranjčevića 33 in Sarajevo, the Federation of Bosnia and Herzegovina.

11. On 2 June 2003, the applicant informed the Chamber that he had repossessed the apartment and had succeeded in being registered as the owner of the apartment in question.

D. CH/98/1052 P.R.M.

12. The application was introduced on 6 November 1998 and registered on the same day.

13. The apartment in question is located at Ulica Malta 17 in Sarajevo, the Federation of Bosnia and Herzegovina.

14. On 2 June 2003, the applicant informed the Chamber that he had repossessed the apartment and had succeeded in being registered as the owner of the apartment in question.

E. CH/98/728 Jovan STEPANOVIĆ

15. The application was introduced on 29 June 1998 and registered on the same day.

16. The apartment in question is located at Ulica Aleja Lipa 47 in Sarajevo, the Federation of Bosnia and Herzegovina.

17. On 26 May 2003, the applicant informed the Chamber that he had repossessed the apartment and that he had obtained an order to be registered as the owner of it from the Federation Ministry of Defence.

II. OPINION OF THE CHAMBER

18. 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.”

19. Considering that the applicants have informed the Chamber that they have succeeded in repossessing and/or acquiring the right to be registered as the owner of their respective apartments, the Chamber finds that the matters raised in the applications have 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

20. 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