



DECISION TO STRIKE OUT

Case nos. CH/98/880, CH/98/882, and CH/02/9449

Ratko GOGANOVIĆ, Milan VIDOVIĆ, and Dragutin JOVANOVIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 December 2002 with the following members present:

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

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, 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 application of Goganović was introduced on 18 August 1998; the application of Vidović was introduced on 19 August 1998; and the application of Jovanović was introduced on 7 March 2002.
2. The applicants Goganović and Vidović sought repossession of their pre-war apartments in Tuzla, while the applicant Jovanović sought repossession of his pre-war house in Sarajevo.
3. The applicants informed the Chamber in writing on 9 October 2002, 10 October 2002, and 12 October 2002, respectively, that they have repossessed the apartment/house in question and that they wish to cease the proceedings before the Chamber.

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. The Chamber notes that the applicants have informed it that they have repossessed their property and that they do not intend to pursue their applications before the Chamber. 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

6. For these reasons, the Chamber unanimously,

STRIKES OUT THE APPLICATIONS.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Viktor MASENKO-MAVI
Acting President of the Second Panel