



## **DECISION TO STRIKE OUT**

**Case nos. CH/99/1469, CH/99/1620, CH/99/2024, CH/99/2187, CH/99/2188,  
CH/99/2218, CH/99/2531, CH/99/2777 and CH/99/3107**

**Nikola JANJIĆ, Ante GALIĆ, Nada RODIĆ, Mladen ŠĆEPOVIĆ, Ruža MARKOVIĆ,  
D. Đ., Anica ZUKOVIĆ, Milosava DAMJANOVIĆ and Dara BORGIN**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

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

Mr. Mato TADIĆ, President  
Mr. Jakob MÖLLER  
Mr. Mehmed DEKOVIĆ  
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 Article VIII(3)(b) of the Agreement and Rules 49(2) and 52 of the Chamber’s Rules of Procedure:

**I. INTRODUCTION**

**A. CH/99/1469 Nikola JANJIĆ**

1. The application was introduced on 26 January 1999 and registered on the same day.
2. The applicant complained of his inability to repossess his pre-war apartment, located at Ulica Odobašina 15/II, in Sarajevo.
3. On 26 November 2002, the applicant informed the Chamber that he had been reinstated into possession of his pre-war apartment on 26 September 2000.

**B. CH/99/1620 Ante GALIĆ**

4. The application was introduced on 22 February 1999 and registered on the same day.
5. The applicant complained of his inability to repossess his pre-war apartment, located at Ulica Zmaja od Bosne 16B/III, in Sarajevo.
6. On 10 December 2002, the applicant informed the Chamber that he had been reinstated into possession of his pre-war apartment on 5 October 2000.

**C. CH/99/2024 Nada RODIĆ**

7. The application was introduced on 7 April 1999 and registered on the same day.
8. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Hamze Hume 4, in Sarajevo.
9. On 26 November 2002, the applicant's lawyer informed the Chamber that the applicant was reinstated into possession of her pre-war apartment on 26 December 2001.

**D. CH/99/2187 Mladen ŠĆEPOVIĆ**

10. The application was introduced on 18 May 1999 and registered on the same day.
11. The applicant complained of his inability to repossess his pre-war apartment, located at Ulica Bolnička 34, in Sarajevo.
12. On 23 December 2002, the applicant informed the Chamber that he had been reinstated into possession of his pre-war apartment at the beginning of February 2002.

**E. CH/99/2188 Ruža MARKOVIĆ**

13. The application was introduced on 18 May 1999 and registered on the same day.
14. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Grada Bakua 3/VI, in Sarajevo.
15. On 23 December 2002, the applicant informed the Chamber that she had been reinstated into possession of her pre-war apartment in August 2001.

**F. CH/99/2218 D. Đ.**

16. The application was introduced on 21 May 1999 and registered on the same day.

17. The applicant complained of his inability to repossess his pre-war apartment, located at Ulica Dr. Fetaha Behićirbegovića 17, in Sarajevo.

18. On 3 December 2002, the applicant's representative informed the Chamber that the applicant had been reinstated into possession of his pre-war apartment.

**G. CH/99/2531 Anica ZUKOVIĆ**

19. The application was introduced on 14 June 1999 and registered on the same day.

20. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Dobrinjska bolnica 9/IV, in Sarajevo.

21. On 13 December 2002, the applicant's representative informed the Chamber that the applicant had been reinstated into possession of her pre-war apartment at the beginning of February 2001.

**H. CH/99/2777 Milosava DAMJANOVIĆ**

22. The application was introduced on 16 August 1999 and registered on the same day.

23. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Enevra Šehovića 18, in Sarajevo.

24. On 6 January 2003, the applicant informed the Chamber that she had been reinstated into possession of her pre-war apartment.

**I. CH/99/3107 Dara BORGIN**

25. The application was introduced on 4 November 1999 and registered on the same day.

26. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Lava N. Tolstoja 3, in Sarajevo.

27. On 25 December 2002, the applicant informed the Chamber that she had been reinstated into possession of her pre-war apartment.

**II. OPINION OF THE CHAMBER**

28. 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."

29. The Chamber notes that the applicants lodged their applications with a view to regaining possession of their pre-war apartments, and while their cases were still pending before the Chamber, they regained such possession. Therefore, 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**

30. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATIONS.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Mato TADIĆ  
President of the Second Panel