



DECISION TO STRIKE OUT

Case no. CH/99/1501

Janja JOVANOVIĆ

against

**BOSNIA AND HERZEGOVINA
and
THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 11 October 2002 with the following members present:

Ms. Michèle PICARD, President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ
Mr. Andrew GROTRIAN

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, 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)(b) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 28 January 1999.
2. The applicant complained of her inability to repossess her pre-war apartment located at Ulica Branilaca Grada no. 35 in Sarajevo.
3. The Chamber was informed by the Commission for Real Property Claims of Displaced Persons and Refugees ("CRPC"), that the applicant was reinstated into her apartment on 3 February 2000.
4. On 23 June 2001 the Chamber sent a letter by registered mail to two different addresses of the applicant asking her to confirm her reinstatement. These letters were both returned to the Chamber as undeliverable.
5. The applicant has never informed the Chamber about any new address.

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 result is consistent with objective of respect for human rights".
7. The Chamber notes that it appears that the applicant has been reinstated into possession of her apartment. It also considers that she has not informed the Chamber about her most recent address, making it impossible for the Chamber to contact her. The Chamber therefore finds that the matter raised in the application has been resolved. 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)
Michèle PICARD
President of the First Panel