



DECISION TO STRIKE OUT

Case no. CH/99/2545

Ljerka TODORVIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 10 January 2003 with the following members present:

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

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 17 June 1999 and registered on the same day.
2. The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Husrefa Redžića 7 in Sarajevo.
3. On 18 May 2000, acting on the applicant's request, the Administration for Housing Affairs of the Sarajevo Canton (Uprava za upravno rješavanje u stambenoj oblasti Kantona Sarajevo) ("Administration") issued a procedural decision approving the applicant as the occupancy right holder and allowing her to repossess the apartment.
4. On 5 December 2001 the applicant submitted a letter to the Chamber expressly stating that she was reinstated into possession of her pre-war apartment and does not intend to pursue her application any more.

II. OPINION OF THE CHAMBER

5. 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."
6. The Chamber notes that the applicant has informed it that she does not intend to pursue her application since she has been reinstated into possession of her pre-war apartment. 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

7. 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