



## **DECISION TO STRIKE OUT**

**Case no. CH/99/2604**

**Milimirka JAKOVLJEVIĆ**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 12 October 2001 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 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 23 June 1999.
2. The applicant complained of her inability to return to her pre-war apartment located at Ulica Adija Mulabegovića 15/II (formerly Đure Jakšića 15/II) in Sarajevo.
3. On 31 July 2001 the applicant informed the Chamber that she had been reinstated into her apartment on 30 November 1999.

**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 ... (b) the matter has been resolved; ... provided that such result is consistent with the objective of respect for human rights.”
5. Considering that the applicant has been reinstated into her apartment, the Chamber finds that the matter 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, finds it appropriate to strike out the application.

**III. CONCLUSION**

6. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATION.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

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