



DECISION TO STRIKE OUT

CASE No. CH/99/3529

Ismet MEHIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 7 November 2000 with the following members present:

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

Mr. Peter KEMPEES, 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) of the Agreement as well as Rule 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 18 January 2000.
2. The applicant requested reinstatement into his apartment. He also claimed compensation because of the impossibility to use the apartment and for expenses incurred in proceedings conducted before domestic organs and the Chamber.
3. On 23 October 2000 the applicant's representatives informed the Chamber that the applicant had entered into possession of his apartment on 4 October 2000, and that the corresponding part of the application was withdrawn. The applicant maintains his claim for compensation and legal expenses.

II. OPINION OF THE CHAMBER

4. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the principal matter raised in the application has been resolved. It further considers that it is not justified to continue the consideration of the application solely to decide on compensation in this case. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the application to be continued. It follows that the application must be struck out of the list.

III. CONCLUSION

5. For these reasons, the Chamber unanimously

STRIKES OUT THE APPLICATION.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel