



## **DECISION TO STRIKE OUT**

**CASE No. CH/00/2495**

**Luka BAJIĆ**

**against**

**THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on December 2000 with the following members present: 5

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 and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

**I. INTRODUCTION**

1. The application was introduced on 13 January 2000. On 7 June 2000 the Chamber decided to transmit the case to the respondent Party for its observations under Articles 6 and 8 of the European Convention, Article 1 of Protocol 1 to the European Convention and Article II(2)(b) of the Annex 6 of the Agreement. On 29 August 2000 the Chamber received the respondent Party's observations on admissibility and merits.

2. The applicant complains because the Ministry for Refugees and Displaced Persons in Teslić did not enforce its decision of 25 May 1999, ordering the applicant's repossession of a house and outbuildings on cadaster lot 333/10 and 333/11 in Banja Vrućica, the Republika Srpska.

3. On 26 September 2000 the applicant's representative informed the Chamber that the applicant did not intend to pursue the application since he had succeeded in repossessing the above house and outbuildings.

**II. OPINION OF THE CHAMBER**

4. Having regard to Article VIII(3) of the Agreement, the Chamber 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. It follows that the application must be struck out of the list.

**III. CONCLUSION**

5. For these reasons, the Chamber, unanimously,

**STRIKES THE APPLICATION OUT.**

(signed)  
Peter KEMPEES  
Registrar of the Chamber

(signed)  
Michèle PICARD  
President of the First Panel