DECISION TO STRIKE OUT

Case no. CH/00/6149

Blagica and Ratko TOMIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 December 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 and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I.   INTRODUCTION

1.   The application was introduced on 15 September 2000. The applicants are represented by the American Refugee Committee Legal Aid in Mostar.

2.   The applicants complain of non-enforcement of a decision issued by the Commission for Real Property Claims of Displaced Persons and Refugees on 8 October 1998 (decision no. 101-801-1/1).

3.   On 2 November 2000 the representative of the applicants informed the Chamber in writing that the applicants had repossessed the apartment located at Tekija 18 in Mostar Stari Grad and suggested the Chamber to strike the application out of the list.

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 OUT THE APPLICATION.

(signed)   (signed)
Peter KEMPEES   Ms. Michèle PICARD
Registrar of the Chamber   President of the First Panel