



DECISION TO STRIKE OUT

CASE No. CH/98/976

Petar and Rada ČARAPIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 8 May 2001 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

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 to the Chamber on 23 September 1998 and registered on the same day.
2. The applicants, who are husband and wife, complain of their inability to return to their pre-war apartment located at Ulica Aleja lipa 43/II in Sarajevo. On 1 August 2000 the applicants informed the Chamber that they had been reinstated into their apartment on 16 June 2000 and considered the matter resolved.

II. OPINION OF THE CHAMBER

3. 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 may be struck out of the list.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATION OUT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel