



DECISION TO STRIKE OUT

CASE No. CH/00/5585

Ladislav SIGMUND

against

**BOSNIA AND HERZEGOVINA
and**

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 June 2001 with the following members present:

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

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 Rule 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 21 August 2000.
2. The applicant complained of not being reinstated into his apartment located at ulica Muhameda Hadžijahića 29/IV in Sarajevo.
3. On 13 March 2001 the Registry sent a letter to the applicant requesting information on further developments in the proceedings on repossession of the apartment in question before the domestic authorities. On 23 March 2001 the Chamber received a letter from the applicant stating that he had repossessed his apartment on 8 January 2001. In addition he requested the Chamber to order the authorities of the Federation of Bosnia and Herzegovina to compensate him in the amount of 4.800,00 K.M. (convertible marks) for the pecuniary and non-pecuniary damage, with interest, starting from 8 January 2001 to the date of payment.

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. It further considers that it is not justified to continue the consideration of the application solely to decide on the 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 may be struck out of the list.

III. CONCLUSION

4. 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