DECISION TO STRIKE OUT

Case no. CH/99/2081

Sava MUJAGIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 9 April 2002 with the following members present:

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

Mr. Ulrich GARMS, 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)(b) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1.   The application was introduced on 21 April 1999.

2.   The applicant complained of her inability to repossess her pre-war apartment, located at Ulica Franje Kluza no. 16, in Bijeljina.

3.   On 15 February 2002, the applicant informed the Chamber that she had been reinstated into her apartment.

II. OPINION OF THE CHAMBER

4.   In accordance with Article VIII(3) of the Agreement, "the Chamber may decide at any point in its proceedings to suspend consideration of, reject or strike out, an application on the ground that … (b) the matter has been resolved; … provided that such a result is consistent with the objective of respect for human rights."

5.   Considering that the applicant has been reinstated, 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. The Chamber therefore decides to strike out the application.

III. CONCLUSION

6.   For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)   (signed)
Ulrich GARMS   Michèle PICARD
Registrar   President of the First Panel