



## **DECISION TO STRIKE OUT**

**Case no. CH/01/6914**

**Maksim MILIĆEVIĆ**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 8 November 2002 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. 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 26 February 2001.
2. The case concerns the applicant's attempts to regain possession of his pre-war business premises, located in Sarajevo, Mali Ćurčiluk Street no. 17.
3. On 4 March 1999 the Commission for Real Property Claims of Displaced Persons and Refugees (CRPC), by its decision confirmed that the applicant, on 1 April 1992, was a *bona fide* possessor of the business premises. The applicant started with the CRPC decision execution procedure on 7 July 1999.
4. On 10 October 2002 the applicant informed the Chamber that he, on 22 August 2002, regained possession of his business premises.

## **II OPINION OF THE CHAMBER**

5. 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."
6. Considering that the applicant regained possession of his pre-war business premises, 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**

7. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATION.**

(signed)  
Ulrich Garms  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel