



## **DECISION TO STRIKE OUT**

**Case no. CH/99/3205**

**Šefik MEHMEDAGIĆ**

**against**

**THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 7 February 2003 with the following members present:

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

Mr. Ulrich GARMS, Registrar  
Ms. Olga KAPIĆ, Deputy Registrar  
Ms. Antonia DE MEO, 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 Article VIII(3)(b) of the Agreement and Rule 49(2) of the Chamber's Rules of Procedure:

## **I. INTRODUCTION**

1. The application was introduced on 22 November 1999 and registered on 23 November 1999. The case concerns the applicant's attempts to regain possession of his pre-war house located at Ulica Blagaj Japra 65, Novi Grad/Bosanski Novi, the Republika Srpska.
2. On 4 March 1999, the applicant requested the Ministry for Refugees and Displaced Persons of Novi Grad to reinstate him into possession of her pre-war property.
3. On 21 January 2003, the applicant informed the Chamber that he had repossessed his pre-war property. The applicant did not state whether he wished to pursue his application before the Chamber.

## **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. The Chamber notes that the applicant lodged his application with a view to regaining possession of his pre-war property, and while his case was still pending before the Chamber, he regained such possession. Therefore, 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 applications, pursuant to Article VIII(3)(b) of the Agreement.

## **III. CONCLUSION**

6. For these reasons, the Chamber, unanimously,

**STRIKES OUT THE APPLICATION.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Michèle PICARD  
President of the First Panel