



DECISION TO STRIKE OUT

CASE No. CH/00/4243

K.D.

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 July 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 Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I INTRODUCTION

1. The application was introduced to the Chamber on 3 March 2000 and registered on 6 March 2000.
2. The applicant complained of his inability to return to his pre-war apartment located at Ulica Antuna Branka Šimića 7 (formerly Božidara Adžije 14/II) in Sarajevo.
3. The application was transmitted to the respondent Party on 7 May 2001. On 21 June 2001 the respondent Party submitted its observations, stating that the applicant had regained possession of the apartment in question.
4. On 25 May 2001 the applicant informed the Chamber that he had been reinstated into his apartment.

II. OPINION OF THE CHAMBER

5. 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.

CONCLUSION

6. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATION OUT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel