



DECISION TO STRIKE OUT

Case nos. CH/00/5415 and CH/00/6400

Ismet BEGIĆ and Zlatko SINANOVIĆ

against

THE REPUBLIKA SRPSKA

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

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Giovanni GRASSO
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Viktor MASENKO-MAVI

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, Deputy Registrar
Ms. Antonia DE MEO, Deputy Registrar

Having considered the aforementioned applications 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 Rules 34, 49(2) and 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. In the following cases the applicants sought repossession of their pre-war property, and they informed the Chamber that they had been reinstated into possession of their property.

2. Considering the similarity between the facts of the cases and the complaints of the applicants, the Chamber decided to join the present applications in accordance with Rule 34 of the Chamber's Rules of Procedure on the same day it adopted the present decision.

A. CH/00/5415 Ismet BEGIĆ

3. The application was introduced on 19 July 2000 and registered on 24 July 2000.

4. The case concerns the applicant's attempts to regain possession of his pre-war property located in Dubrave, Gradiška, the Republika Srpska.

5. On 19 March 2003, the Chamber sent a letter to the applicant requesting him to update the status of his case.

6. On 7 April 2003, the applicant informed the Chamber that he had regained possession of his pre-war property.

B. CH/00/6400 Zlatko SINANOVIĆ

7. The application was introduced on 27 November 2000 and registered on 2 December 2000.

8. In his application, the applicant requested the Chamber to issue a provisional measure ordering the competent body to make an inventory of the moveable property in the apartment and to prevent its removal from the apartment. On 19 January 2001, the Chamber decided to reject the provisional measure requested.

9. The case concerns the applicant's attempts to regain possession of his pre-war property, located at Ulica Muharema Karabegovića no. 10/A in Banja Luka, the Republika Srpska.

10. On 19 March 2003, the Chamber sent a letter to the applicant requesting him to update the status of his case.

11. On 27 March 2003, the applicant's representative informed the Chamber that the applicant had regained possession of his pre-war property.

II. OPINION OF THE CHAMBER

12. 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."

13. The Chamber notes that the applicants lodged their applications with a view to regaining possession of their pre-war property, and while their cases were still pending before the Chamber, they regained such possession. Therefore, the Chamber finds that the matter raised in the applications has been resolved. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the applications to be continued. The Chamber therefore decides to strike out the applications, pursuant to Article VIII(3)(b) of the Agreement.

III. CONCLUSION

14. For these reasons, the Chamber, unanimously,

**JOINS THE APPLICATIONS and
STRIKES OUT THE APPLICATIONS.**

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel