



DECISION TO STRIKE OUT

Case no. CH/00/5816

Hase VEJZOVIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 8 May 2001 with the following members present:

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

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 Rule 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 2 September 2000. The applicant complains that the Prijedor Department of the Ministry for Refugees and Displaced Persons of the Republika Srpska, in deciding upon a request for repossession of his pre-war apartment located at ulica Oslobodioca M-2, apartment no. 3, Lamela H in Prijedor, issued a procedural decision in his favour on 1 June 1999, but established his occupancy right over the wrong apartment. In addition, the applicant complains that the Ministry failed to decide upon his appeal of 24 August 1999 against the procedural decision in question. According to the applicant, the Supreme Court of the Republika Srpska, in administrative dispute proceedings, also failed to decide upon his claim.

2. On 18 April 2001 the Chamber received a letter from the applicant stating that he regained possession of his apartment on 25 January 2001. He therefore intended to withdraw the application before the Chamber.

II. OPINION OF THE CHAMBER

3. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the applicant does not intend to pursue the application as 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.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel