DECISION TO STRIKE OUT

Case no. CH/01/7159

Vesna PROSEN

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel, on 6 September 2002 with the following members present:

Ms. Michèle PICARD, President
Mr. Hasan BALIĆ
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ
Mr. Andrew GROTRIAN

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 8 May 2001.

2. The applicant complains of the non-enforcement of a procedural decision issued by the Ministry for Refugees and Displaced Persons in Banja Luka on 23 November 2000, confirming her right to regain possession of her property.

3. On 3 October 2001, the applicant informed the Chamber in writing that she had repossessed her property. The applicant suggested that the Chamber strike out the application from its list.

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. Considering that the applicant has repossessed her property and that she has suggested that her application be struck out, 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

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