



DECISION TO STRIKE OUT

CASE No. CH/97/112

Budimir PAJO

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 12 October 2001 with the following members present:

Ms. Michèle PICARD, President
Mr. Hasan BALIĆ
Mr. Rona AYBAY
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) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I INTRODUCTION

1. The application was introduced on 12 December 1997.
2. The applicant complained of his inability to register his ownership right and to regain possession of an apartment in Sarajevo, which he purchased in February 1992. In 1996 the applicant took the first steps to seek to regain possession of his apartment. On 7 March 2001 the applicant regained possession of the apartment, and on 14 August 2001 he registered his ownership over it with the land registry in the Municipal Court I in Sarajevo. The applicant requests compensation for delay in his regaining possession of the apartment but has not provided details of any losses he incurred in this regard.

II OPINION OF THE CHAMBER

3. In view of the fact that the applicant finally regained possession of his apartment and registered his ownership over it, the Chamber finds that it is no longer justified to continue the examination of the application. It further considers that it is not justified to continue the consideration of the application solely to decide on compensation in this case. 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 finds it appropriate to strike out the application.

III CONCLUSION

4. For these reasons, the Chamber, unanimously,

STRIKES THE APPLICATION OUT.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel