



DECISION TO STRIKE OUT

CASE No. CH/98/1063

Ružica TODIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 February 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 on 13 November 1998.
2. The applicant complained of not being reinstated into her apartment at Ulica Džemala Bijedića 164 in Sarajevo. Further, the applicant requested the Chamber to order the respondent Party to compensate her in the amount of KM 400 per month since 27 June 1998 (when a decision ordering her repossession was to be enforced) until she was reinstated.
3. On 23 October 2000 the Registry received a letter from the applicant's representative informing the Chamber that the applicant repossessed her apartment on 15 August 2000. However, the applicant still requests to be compensated.

II. OPINION OF THE CHAMBER

4. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the matter raised in the application has been resolved. It further considers that it is not justified to continue the consideration of the application solely to decide on the 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. It follows that the application must be struck out of the list.

III. CONCLUSION

5. For these reasons, the Chamber, unanimously

STRIKES THE APPLICATIONS OUT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel