



DECISION TO STRIKE OUT

Case no. CH/98/1122

Milan KNEŽEVIĆ

against

**BOSNIA AND HERZEGOVINA
and
THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 March 2003 with the following members present:

Mr. Mato TADIĆ, President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Giovanni GRASSO
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 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 Article VIII(3)(b) of the Agreement and Rule 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 24 July 1998 and registered on the same day.
2. The case concerns the applicant's attempts to enter into possession of the apartment, located at ulica Envera Šehovića 26 in Sarajevo, over which he held the occupancy right.
3. On 20 May 2002, the Chamber received information from the Federation of Bosnia and Herzegovina that the applicant had entered into possession of his apartment on 18 April 2002.
4. On 25 September 2002, the Chamber sent a letter, via registered mail, to the applicant, requesting him to confirm the information submitted by the Federation of Bosnia and Herzegovina. The letter warned the applicant that if he did not respond to it, the Chamber might decide to strike out his application. The Chamber received the signed registered return receipt, but the applicant did not respond to the letter.

II. OPINION OF THE CHAMBER

5. 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."
6. Considering that the Chamber has received information that the applicant has been reinstated into his apartment, 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

7. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel