



## **DECISION TO STRIKE OUT**

**Case no. CH/98/368**

**Ž.D.**

**against**

**FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 11 January 2002 with the following members present:

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

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. FACTS**

1. The application was introduced on 20 February 1998.
2. The applicant complained of his inability to be reinstated into an apartment located at ulica Zagrebačka no. 75 in Sarajevo.
3. On 28 May 2001 the applicant informed the Chamber that he succeeded to enter into the possession of the above-mentioned apartment and to be registered as owner of the same apartment, and that, accordingly, the matter raised in his application has been resolved.

**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. In light of the applicant’s statement to the Chamber of 28 May 2001, 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 THE APPLICATION OUT.**

(signed)  
Ulrich GARMS  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel