



DECISION TO STRIKE OUT

Case no. CH/98/641

Mehmed BEDIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 September 2000 with the following members present:

Ms. Michèle PICARD, President
Mr. Andrew GROTRIAN, Vice-President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Rona AYBAY
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ

Mr. Anders MÅNSSON, 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 Rule 52 of the Chamber's Rules of Procedure:

I. FACTS

1. The applicant is a citizen of Bosnia and Herzegovina. In April 1992 he purchased his apartment located at Aleja bosanskih vladara br. 22 (formerly Ulica Oktobarske revolucija br. 6) in Tuzla from the Yugoslav National Army. At that time, however, the relevant court failed to register him as the owner of the apartment.
2. On 31 July 2000 the applicant informed the Chamber that he was registered as the owner in early June 2000 (the exact date was unspecified).

II. COMPLAINT

3. The applicant complains that the authorities of the Federation failed in their obligations to register him as the owner of the apartment.

III. PROCEEDINGS BEFORE THE CHAMBER

4. The application was introduced on 11 May 1998 and registered on 25 May 1998.
5. On 31 July 2000 the Chamber received a letter from the applicant stating that he had been registered as the owner of the apartment in early June 2000.

IV. OPINION OF THE CHAMBER

6. According to Article VIII(3) of the Agreement, the Chamber may at any point decide to strike out an application on the ground that the matter has been resolved. However, a decision to strike out an application must be consistent with the objective of respect for human rights.
7. In the present case the applicant has informed the Chamber that he has been registered as the owner of the apartment. Accordingly, the Chamber concludes that the underlying matter of the applicant has been resolved. In these circumstances it is no longer justified to continue the examination of the case. Moreover, such an outcome would not be inconsistent with the objective of respect for human rights.

V. CONCLUSION

8. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Anders MÅNSSON
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel