



DECISION TO STRIKE OUT

Case no. CH/98/780

Ćazim RAKOVIĆ

against

THE REPUBLIKA SRPSKA

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

Mr. Viktor MASENKO-MAVI, Acting President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir 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 as well as Rule 52 of the Chamber's Rules of Procedure:

I. FACTS

1. The applicant complained of inability to regain possession of his property situated in Gradiška.
2. On 8 March 2001 the applicant informed the Chamber that he regained possession of the real estate concerned and that he has sold it. In the same submission, the applicant stated that he would still proceed with the part of his application related to the compensation claim.

II. OPINION OF THE CHAMBER

3. In accordance with Article VIII(3) of the Agreement, “the Chamber may decide at any point in its proceedings to suspend consideration or, reject or strike out, an application on the ground that ... (b) the matter has been resolved; ... provided that such result is consistent with the objective of respect for human rights.”
4. In view of fact that the applicant has regained possession of his property, the Chamber finds that the main complaint of the application has been resolved. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require examination of the application to be continued.

III. CONCLUSION

5. For these reasons, the Chamber, unanimously

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Victor MASENKO-MAVI
Acting President of the Second Panel