



DECISION TO STRIKE OUT

CASE No. CH/99/2934

Pavle CINDRIĆ

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 28 September 1999.
2. The applicant complained of not being reinstated into his apartment at Ulica Omladinska 37 in Vogošća. However, the applicant was reinstated on 26 September 2000. Now, the applicant requests the Chamber to order the respondent Party to compensate him in the amount of KM 13,750 for preventing him to use his apartment and KM 642 for procedural costs.

II. OPINION OF THE CHAMBER

3. 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

4. For these reasons, the Chamber, unanimously

STRIKES THE APPLICATIONS OUT.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel