



DECISION TO STRIKE OUT

Case nos. CH/99/3150 and CH/99/3166

Muharema DEDIĆ and Munib ŠUMIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 December 2002 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 applications 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. INTRODUCTION

1. The application of Muharema DEDIĆ was introduced on 11 November 1999 and registered on 12 November 1999. The application of Munib ŠUMIĆ was introduced on 12 November 1999 and registered on the same day.
2. The applicants sought repossession of their pre-war homes in Novi Grad/Bosanski Novi, the Republika Srpska.
3. The applicants informed the Chamber in writing on 24 October 2002 and 28 October 2002, respectively, that they have repossessed the property in question and that they wish to cease the proceedings before the Chamber.

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. The Chamber notes that the applicants have informed it that they have repossessed their property and that they do not intend to pursue their applications before the Chamber. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the applications to be continued. The Chamber therefore decides to strike out the applications.

III. CONCLUSION

6. For these reasons, the Chamber unanimously,

STRIKES OUT THE APPLICATIONS.

(signed)
Ulrich GARMS
Registrar of the Chamber

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