



DECISION TO STRIKE OUT

CASE No. CH/00/5049

Marija UTRŽAN

against

BOSNIA AND HERZEGOVINA

and

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 June 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 Rule 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 5 June 2000. The applicant complained that a procedural decision on a disability pension issued in her favour by the Retirement and Disability Insurance Social Fund, Branch Office in Sarajevo on 28 June 1999 was revoked by the second - instance body of that Fund on 5 October 1999. An appeal against this procedural decision was refused by the Supreme Court of the Federation of Bosnia and Herzegovina on 2 December 1999.

2. However, on 16 May 2001 the Chamber received a letter from the applicant stating that she had retired and that her status was resolved.

II. OPINION OF THE CHAMBER

3. Having regard to Article VIII(3) of the Agreement, the Chamber finds that the applicant does not intend to pursue the application, as 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. It follows that the application may be struck out of the list.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel