



DECISION TO STRIKE OUT

Case no. CH/02/12299

Mara JURIC

against

BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 7 November 2002 with the following members present:

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

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)(a) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure.

I. INTRODUCTION

1. The application was introduced on 2 October 2002.
2. The applicant complained that the First Instance Court of the Brčko District violated her property rights by its judgment of 8 November 2001, by which it refused her claim to cancel a right of way in favour of P.J. over certain plots of real estate in Dubrave, Brčko.
3. On 3 October 2002 the applicant sent a letter to the Chamber withdrawing her application.

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 (a) the applicant does not intend to pursue his/her application; ... provided that such result is consistent with the objective of respect for human rights.”
5. The Chamber notes that the applicant has informed it that she withdraws her application. Furthermore, the Chamber finds no special circumstances regarding respect for human rights which require the examination of the application to be continued. The Chamber therefore decides to strike out the application.

III. CONCLUSION

6. For these reasons, the Chamber, unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel