



DECISION TO STRIKE OUT

Case no. CH/98/385

Šefika JAZVIN

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting in plenary session on 8 February 2003 with the following members present:

Ms. Michèle PICARD, President
Mr. Mato TADIĆ, Vice-President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Rona AYBAY
Mr. Želimir JUKA
Mr. Mehmed DEKOVIĆ
Mr. Giovanni GRASSO
Mr. Miodrag PAJIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Viktor MASENKO-MAVI
Mr. Andrew GROTRIAN

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, Deputy Registrar
Ms. Antonia DE MEO, 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) and Rule 49(2) of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 26 February 1998 and registered on 10 April 1998. The applicant is the holder of a frozen old foreign currency savings account at the Jugobanka (now Unionbanka) Branch Office in Foča, Republika Srpska. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to return the total amount of her foreign currency savings plus interest accrued from 1990. The Chamber did not decide on the provisional measure request.
2. The applicant generally alleged violations of her property rights and requested the return of her foreign currency savings plus interest from 1990.
3. On 9 October 2002, the applicant wrote to the Chamber, stating that she wished to withdraw her case against the Republika Srpska.

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 application; ... provided that such a result is consistent with the objective of respect for human rights."
5. The Chamber notes that the applicant has informed it that she does not intend to pursue 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 Chamber