



DECISION TO STRIKE OUT

Case no. CH/00/4692

Milica LIZDEK

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 13 October 2000 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice-President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

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. FACTS AND COMPLAINTS

1. The applicant is a citizen of Bosnia and Herzegovina. She alleged that the Federation authorities did not carry out an eviction order against another person, thereby preventing her from returning to her apartment. The applicant did not substantiate any of her allegations and did not state any specific violation of her rights.

II. PROCEEDINGS BEFORE THE CHAMBER

2. The application was introduced to the Chamber on 19 April 2000 and registered on the same day.

3. On 26 June 2000 the Registry sent a letter to the applicant requesting further information. On 4 July 2000 the Chamber received a letter from the applicant informing the Chamber that she no longer intended to pursue the application.

III. OPINION OF THE CHAMBER

4. According to Article VIII(3) of the Agreement, the Chamber may at any point decide to strike out an application on the ground that (a) the applicant does not intend to pursue his application; (b) the matter has been resolved; or (c) for any other reason established by the Chamber, it is no longer justified to continue the examination of the application. In all these situations, however, a decision to strike out an application must be consistent with the objective of respect for human rights.

5. In the present case the Chamber notes that the applicant no longer wishes to pursue the application. In these circumstances it is no longer justified to continue the examination of the application. Moreover, such an outcome would not seem to be inconsistent with the objective of respect for human rights.

IV. CONCLUSION

6. For these reasons, the Chamber unanimously,

STRIKES OUT THE APPLICATION.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel