CONSEIL DE L'EUROPE

COUNCIL OF EUROPE

COUR EUROPÉENNE DES DROITS DE L'HOMME
EUROPEAN COURT OF HUMAN RIGHTS

FOURTH SECTION

DECISION

Application no. 20870/02
by Maija-Liisa VENESKOSKI
against Finland

The European Court of Human Rights (Fourth Section), sitting on 14 September 2004 as a Chamber composed of:

Sir Nicolas BRATZA, *President*,
Mr M. PELLONPÄÄ,
Mr L. GARLICKI,
Mr J. BORREGO BORREGO,
Mrs E. FURA-SANDSTRÖM,
Ms L. MIJOVIĆ,
Mr D. SPIELMANN, *judges*,
and Mr M. O'BOYLE, *Section Registrar*,

Having regard to the above application lodged on 2 May 2002,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Maija-Liisa Veneskoski, is a Finnish national who was born in 1951 and lives in Kemi. She is represented before the Court by Mr Peik Spolander, a lawyer practising in Rovaniemi. The respondent Government are represented by their Agent, Mr Arto Kosonen, Director in the Ministry for Foreign Affairs.

The circumstances of the case

The facts of the case, as submitted by the parties, may be summarised as follows.

The applicant, a member of the paper industry workers' union (*Paperiliitto r.y.*), had a dispute with her employer, a member of the paper industry employers' association (*Metsäteollisuus r.y.*).

On 19 April 2000, in a protocol to a new collective bargaining agreement, the applicant's union and the employers' organisation agreed that disputes relating to the interpretation of the agreement could be dealt with by an arbitration court rather than being referred to the Labour Court (*työtuomioistuin, arbetsdomstolen*).

Subsequently the applicant's union brought an action on her behalf before the Arbitration Court for the Paper Industry (*Paperiteollisuuden välimiesoikeus*).

On 10 January 2002 (the decision wrongly indicates the year 2001) the Arbitration Court dismissed her action.

COMPLAINTS

1. The applicant complained that she was denied a fair hearing before the Arbitration Court, since it lacked impartiality and since the manner in which it took witness testimony sought to favour the employer party. Moreover, the Arbitration Court's hearing took place on the premises of the employer defendant. Nor was there any possibility of appealing against the Arbitration Court's judgment, which she was not told until its hearing.

2. She also complained that she was denied the right to education guaranteed by Article 2 of Protocol No. 1.

THE LAW

By letter dated 13 July 2004, the applicant's representative informed the Court that the applicant wishes to withdraw her application.

The Court finds that the applicant no longer wishes to pursue her application within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the examination of the application to be continued.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Michael O'BOYLE
Registrar

Nicolas BRATZA
President