



## **DECISION ON THE ADMISSIBILITY**

**CASE No. CH/98/1166**

**Mile JOKIĆ**

**against**

**BOSNIA AND HERZEGOVINA  
THE FEDERATION OF BOSNIA AND HERZEGOVINA  
REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 9 February 1999 with the following members present:

Mr. Giovanni GRASSO, President  
Mr. Viktor MASENKO-MAVI, Vice-President  
Mr. Vlatko MARKOTIĆ  
Mr. Jakob MÖLLER  
Mr. Mehmed DEKOVIĆ  
Mr. Manfred NOWAK

Mr. Leif BERG, 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(2)(c) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

**I. FACTS**

1. The applicant is the owner of real property (consisting of land and a house) situated in Gornja Sanica, Ključ Municipality, Federation of Bosnia and Herzegovina. In September 1995, he was forced to leave the area as it fell under the control of the Federation of Bosnia and Herzegovina. The house on the applicant's land was destroyed between 1996 and 1997. He does not claim or provide any evidence that any damage caused to his property was caused either directly by persons or authorities for whose actions any of the respondent Parties could be held responsible for.

**II. COMPLAINT**

2. The applicant claims that his rights as protected by Article 1 of Protocol No. 1 to the Convention have been violated.

**III. PROCEEDINGS BEFORE THE CHAMBER**

3. The application was introduced on 15 September 1998 and registered on the same day.

**IV. OPINION OF THE CHAMBER**

4. Before considering the merits of the case the Chamber must decide whether to accept the case, taking into account the admissibility criteria set out in Article VIII(2) of the Agreement. According to Article VIII(2)(c), the Chamber shall dismiss any application which it considers manifestly ill-founded.

5. The applicant has not provided any evidence to the Chamber which shows that any of the respondent Parties, or any person or authority whose actions they are responsible for, are in any way responsible for the damage that he alleges occurred to his house. In the absence of any such evidence, the Chamber considers that none of the respondent Parties can be considered to be responsible for any such damage.

6. Accordingly, the Chamber decides not to accept the application, it being manifestly ill-founded within the meaning of Article VIII(2)(c) of the Agreement.

**V. CONCLUSION**

7. For these reasons, the Chamber, unanimously,

**DECLARES THE APPLICATION INADMISSIBLE.**

(signed)  
Leif BERG  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel