



DECISION ON ADMISSIBILITY

Case no. CH/99/1657

Milivoje ELEZ

against

THE REPUBLIC OF CROATIA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 June 2000 with the following members present:

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

Mr. Anders MÅNSSON, 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 a pensioner living in Sarajevo. He complains of not having received his pension from the Croatian Republic Fund for Worker's Pension and Disability Insurance between 29 February 1992 and 1 May 1996.

II. PROCEEDINGS BEFORE THE CHAMBER

2. The application was introduced on 2 March 1999 and registered on 4 March 1999.

III. OPINION OF THE CHAMBER

3. Before considering the merits of the case the Chamber must decide whether to accept it, 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 incompatible with the Agreement.

4. The Chamber recalls that its jurisdiction extends to alleged or apparent violations of the Agreement committed by any of the Parties thereto, i.e. Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina or the Republika Srpska. The present application is directed against the Republic of Croatia, which is not a Party to the Agreement. The Chamber is thus not competent to examine the application.

5. Accordingly, the Chamber decides not to accept the application, it being incompatible *ratione personae* with the Agreement within the meaning of Article VIII(2)(c) thereof.

IV. CONCLUSION

6. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Anders MÅNSSON
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel