



DECISION ON ADMISSIBILITY

CASE No. CH/00/5359

Nikosava MILENKOVIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 11 October 2000 with the following members present:

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

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(2)(c) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

1. The application was introduced on 11 July 2000 and registered on the same day. The applicant requested that the Chamber order a provisional measure to take all necessary action to prevent the applicant's eviction. The Chamber rejected this request on 11 July 2000.

2. The applicant complains of her eviction from a house she occupies in Municipality Novi Grad – Sarajevo.

OPINION OF THE CHAMBER

3. The Chamber notes that the eviction was ordered by the competent authority on the ground that she had no legal ground to occupy it.

4. In the light of all the material in its possession, and in so far as the matters complained of are within its competence, the Chamber finds that they do not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application must be rejected, in accordance with Article VIII(2)(c) of the Agreement as manifestly ill-founded.

CONCLUSION

5. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel