



DECISION ON ADMISSIBILITY

CASE No. CH/00/5495

Dino SULJEVIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 12 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)(a) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

i. INTRODUCTION

1. The application was introduced on 24 August 2000 and registered on the same day. The applicant requested that the Chamber order a provisional measure to take all necessary action to prevent his eviction from the business premises consisting of a shop at no. 14, ul. Ustanička 32, placed in the Market Centre Ilidža. On 4 September 2000 the First Panel decided not to order the provisional measure requested.

2. The applicant complains of a decision of the Municipality of Ilidža ordering his eviction from the shop that he rented on 20 June 1996 based on the Contract on Rent concluded with Ilidža Municipality.

ii. OPINION OF THE CHAMBER

3. The Chamber has examined the application and finds that the applicant failed to initiate any proceedings before the competent domestic Court. The applicant has not shown that this remedy was ineffective and it does not appear so to the Chamber. The Chamber finds that the applicant has therefore not, as required by Article VIII(2)(a) of the Agreement, exhausted the effective remedies. It follows that the application must be rejected.

iii. CONCLUSION

4. 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