



## **DECISION ON ADMISSIBILITY**

**CASE No. CH/00/6013**

**Ilija RISTIĆ**

**against**

**THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel, on 7 November 2000 with the following members present:

Ms. Michèle PICARD, President  
Mr. Andrew GROTRIAN, Vice President  
Mr. Dietrich RAUSCHNING  
Mr. Hasan BALIĆ  
Mr. Rona AYBAY  
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 7 August 2000 and registered on 14 August 2000. The applicant is represented by Mr Goran Blagojević, a lawyer in Šamac. The applicant requested that the Chamber order a provisional measure that the applicant be reinstated into an apartment. On 7 November 2000 the Chamber decided not to order the provisional measure requested.
2. The case concerns the applicant's attempts to have the occupancy right over an apartment recognised as his.

**II. OPINION OF THE CHAMBER**

3. The Chamber has examined the application and finds that the applicant's complaint is premature as the proceedings are still pending before the Ministry for Refugees and Displaced Persons in Banja Luka. The domestic remedies have therefore not been exhausted as required by Article VIII(2)(a) of the Agreement. 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