



DECISION ON ADMISSIBILITY

Case no. CH/00/5698

Džafo MUHIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 December 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:

I. INTRODUCTION

1. The application was introduced on 6 September 2000.
2. The applicant was convicted of rape and sentenced to imprisonment for one year and for months by a judgement of the Municipal Court of Bugojno of 5 November 1998. The applicant's appeal was rejected on 2 July 1999 by the Cantonal Court of Travnik.
3. The applicant complains that his conviction was based on perjured evidence. He asks the Chamber to review it.

II. OPINION OF THE CHAMBER

4. The Chamber has examined the application lodged on 6 September 2000. It finds that the final decision of the Cantonal Court in Travnik was given on 2 July 1999 and thus more than six months before the date on which the application was filed. It follows that the application, in this part, has been submitted outside of the six months time limit and must be rejected, as it is incompatible *ratione temporis* with the Agreement. Furthermore, regarding the refusal of the competent authorities to continue proceedings for perjury against the raped victim, the Chamber finds that portion of the case inadmissible because it does not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application is in this part manifestly ill-founded and must be rejected.

5. Accordingly, the Chamber decides not to accept the application, as it is partly incompatible *ratione temporis* within the meaning of Article VIII(2)(a) of the Agreement and partly manifestly-ill founded within the meaning of Article VIII(2)(c) of the Agreement.

III. CONCLUSION

6. 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