



DECISION ON ADMISSIBILITY

CASE No. CH/01/6766

Melida CEROVIĆ

against

BOSNIA AND HERZEGOVINA

and

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 9 February 2001 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice-President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

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 23 January 2001. The applicant requested that the Chamber order the respondent Parties, as provisional measures, to take all necessary action to prevent her eviction from the apartment she temporarily occupies. The Chamber rejected this request on 26 January 2001.
2. The applicant complains of her eviction from an apartment she occupies in Sarajevo.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the eviction was ordered in order to reinstate the pre-war occupancy right holder to possession of the apartment and that the applicant was offered an alternative accommodation that she refused. In light of all the material in its possession, the Chamber finds that the application 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.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(Signed)
Peter KEMPEES
Registrar of the Chamber

(Signed)
Giovanni GRASSO
President of the Second Panel