DECISION ON ADMISSIBILITY

CASE No. CH/01/6994

Đemila SAHAČIĆ

against

BOSNIA AND HERZEGOVINA
and
THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 2 April 2001 with the following members present:

> Ms. Michèle PICARD, President
> Mr. Dietrich RAUSCHNING, Vice-President
> Mr. Hasan BALIĆ
> Mr. Rona AYBAY
> Mr. Želimir JUKA
> Mr. Miodrag PAJIĆ
> Mr. Andrew GROTRIAN
>
> 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 19 March 2001. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to take all necessary action to prevent her eviction. The Chamber rejected this request on 2 April 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 decision of the Administration for Housing Affairs of Canton Sarajevo by, which the applicant was ordered to vacate the apartment, was taken to allow the pre-war occupancy right holder to repossess the apartment. In light of all the material in its possession, the Chamber finds that the application does not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application must be rejected as manifestly ill-founded, in accordance with Article VIII(2)(c) of the Agreement.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)   (signed)
Peter KEMPEES   Michèle PICARD
Registrar of the Chamber   President of the First Panel