



DECISION ON ADMISSIBILITY

CASE No. CH/01/7070

Marijan MAKSIMOVIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel, on 6 April 2001 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice-President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
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 25 January 2001 and registered 2 February 2001. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary action to prevent his imprisonment. On 6 April 2001 the Chamber decided not to order the provisional measure requested.

2. The applicant complains of a decision of the First Instance Military Court in Bijeljina dated 27 September 1999, finding the applicant guilty of a criminal offence and sentencing him to nine months imprisonment. This decision was upheld on appeal by the Second Instance Court on 6 December 2000.

II. OPINION OF THE CHAMBER

3. In the light of all the material in its possession, the Chamber finds that they do not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application is manifestly ill-founded and must be rejected, in accordance with Article VIII(2)(c) of the Agreement.

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