



DECISION ON ADMISSIBILITY

CASE No. CH/01/7542

Ahmed DELIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 5 June 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 28 May 2001 and registered on the same day. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary action to prevent his eviction from the apartment in Vogošća, Ulica Omladinska 32, of which he is the temporary occupant. The President of the Second Panel rejected this request on 29 May 2001.
2. The applicant complains that his rights to life and home would be violated by his eviction from the apartment he occupies in Vogošća.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the eviction was ordered by the competent court on the ground that the applicant had no legal ground to occupy the apartment in question. 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. The application is manifestly ill-founded in accordance with Article VIII(2)(c) of the Agreement. It follows that the application may be rejected.

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