



DECISION ON ADMISSIBILITY

Case no. CH/02/8648

Emina SALKIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 February 2002 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. Ulrich GARMS, 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 4 January 2002.
2. It appears that the applicant is of Bosniak origin and lives in Maglaj. The applicant's husband was killed on 10 June 1992 in Mlińska kosa, Maglaj, while he was carrying out a combat task.
3. The applicant complains that human rights have been violated as her husband was deprived of his life. The applicant requests pecuniary compensation for the lost life of her husband. She also requests "the criminals [responsible for the death] to be punished".

II. OPINION OF THE CHAMBER

4. In accordance with Article VIII(2) of the Agreement, "the Chamber shall decide which applications to accept ... In so doing, the Chamber shall take into account the following criteria: ... (c) The Chamber shall also dismiss any application which it considers incompatible with this Agreement, manifestly ill-founded, or an abuse of the right of petition."

5. The Chamber is not competent to consider events that took place prior to the entry into force of the Agreement, which occurred on 14 December 1995 (see e.g. case no. CH/96/1, *Matanović*, decision on admissibility of 13 September 1996, Decisions on Admissibility and Merits 1996-1997; case no. CH/01/8336, *Omanović et.al.*, decision on admissibility of 11 January 2002). The Chamber notes that the applicant's husband was killed before 14 December 1995. Accordingly, the applicant's complaints are outside the Chamber's competence *ratione temporis*.

III. CONCLUSION

6. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel