DECISION ON ADMISSIBILITY

CASE No. CH/00/4109

Sakib KRNJIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 December 2000 with the following members present:

Ms. Michèle PICARD, President
Mr. Andrew GROTRIAN, Vice President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ

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 16 February 2000.

2. The applicant complains of his conviction for murder by the Municipal Court in Travnik on 9 December 1998 and the rejection of his appeal by the Cantonal Court in Travnik. His conviction arose out of the shooting by the applicant of the owner of a café in Travnik on 16 June 1998. The applicant maintains that he acted in self-defence. The Municipal Court, during the proceedings against him, heard evidence from a number of persons present at the incident, as well as from relevant experts.

II. OPINION OF THE CHAMBER

3. The Chamber finds that the applicant is seeking to challenge the assessment of the evidence made by the national court. However, the Chamber finds no evidence that the procedure in the national court failed to meet the requirements of fairness under Article 6 of the Convention. In these circumstances, and in 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)
Michèle PICARD
President of the First Panel