



DECISION ON ADMISSIBILITY

CASE No. CH/00/5378

Mirnes AHMETSPAHIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 13 October 2000 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:

INTRODUCTION

1. The application was introduced on 12 July 2000 and registered on the same day. The applicant had been allocated an apartment in Zenica for temporary use. On 15 September 1999 the competent authorities approved the reinstatement of the pre-war occupancy right holder and ordered the applicant to vacate the apartment. The applicant claimed that his eviction would violate his rights.

OPINION OF THE CHAMBER

2. 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 must be rejected, in accordance with Article VIII(2)(c) of the Agreement, as manifestly ill-founded.

CONCLUSION

3. 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