



DECISION ON ADMISSIBILITY

CASE No. CH/00/6013

Ilija RISTIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel, on 7 November 2000 with the following members present:

Ms. Michèle PICARD, President
Mr. Andrew GROTRIAN, Vice President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Rona AYBAY
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)(a) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 7 August 2000 and registered on 14 August 2000. The applicant is represented by Mr Goran Blagojević, a lawyer in Šamac. The applicant requested that the Chamber order a provisional measure that the applicant be reinstated into an apartment. On 7 November 2000 the Chamber decided not to order the provisional measure requested.
2. The case concerns the applicant's attempts to have the occupancy right over an apartment recognised as his.

II. OPINION OF THE CHAMBER

3. The Chamber has examined the application and finds that the applicant's complaint is premature as the proceedings are still pending before the Ministry for Refugees and Displaced Persons in Banja Luka. The domestic remedies have therefore not been exhausted as required by Article VIII(2)(a) of the Agreement. It follows that the application must be rejected.

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