



DECISION ON ADMISSIBILITY

CASE No. CH/00/6169

Milorad VIDAKOVIĆ

against

**BOSNIA AND HERZEGOVINA
and
THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 12 October 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 3 October 2000 and registered on the same day. The applicant is represented by Ms Smiljana Moravac Babić, a lawyer in Banja Luka. The applicant requested that the Chamber order a provisional measure to take all necessary action to prevent his eviction. On 12 October 2000 the Chamber decided not to order the provisional measure requested.

2. The applicant complains of a decision of the Ministry for Refugees and Displaced Persons ordering his eviction from an apartment, which he occupies.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the applicant was ordered to vacate the apartment on the ground that he had no legal right to occupy the apartment. In the light of all the material in its possession, the Chamber finds that the facts complained of 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 as manifestly ill-founded, 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