



DECISION ON ADMISSIBILITY

CASE No. CH/00/6335

Željko ŠAVIJA

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)(a) and (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 9 November 2000. The applicant who is detained on charges of aggravated theft in the nature of robbery and robbery requested that the Chamber order a provisional measure to release him from detention. On 9 December 2000 the Chamber decided not to order the provisional measure.

2. The applicant requests from the Chamber that he be released from detention. He states that he requested release on bail but that the Cantonal Court in Sarajevo unlawfully refused this. Further, he alleges that the court is partial only because he is a Serb.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the applicant did not submit any evidence to substantiate his allegations of unfairness and bias and discrimination on the grounds of his national origin. In the light of all the material in its possession, the Chamber finds that the application does 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 Second Panel