



DECISION ON ADMISSIBILITY

CASE No. CH/00/6352

**ASSOCIATION OF CITIZENS FOR PROTECTION OF THE RIGHTS OF THE CURRENT
OCCUPANTS OF ABANDONED APARTMENTS WITHIN THE FEDERATION OF BOSNIA AND
HERZEGOVINA**

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) of the Agreement and Rules 49(2) and 52 of the Chamber's Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 14 November 2000. The applicant's members are being prosecuted on charge of participation in a group obstructing officials in the execution of their official activity. The applicant requested that the Chamber order a provisional measure to terminate the criminal proceedings against its members. On 8 December 2000 the Chamber decided not to order the provisional measure.

2. The applicant states that the criminal proceedings against its members are illegal and degrading.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the applicant as an Association is not a victim of a violation of human rights. Further, even if every member authorised the Association to act on their behalf, they still would not have exhausted domestic remedies as the proceedings are still pending before the Municipal Court in Zenica. 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, by 5 votes to 1,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel