



DECISION ON ADMISSIBILITY

CASE No. CH/01/6710

Osman ZEC

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 12 January 2001 with the following members present:

Ms. Michèle PICARD, President
Mr. Dietrich RAUSCHNING, Vice-President
Mr. Andrew GROTRIAN
Mr. Hasan BALIĆ
Mr. Želimir JUKA

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 8 January 2001. The applicant requested that the Chamber order a provisional measure to take all necessary action to prevent his eviction and provide him with adequate accommodation until he may return to his pre-war apartment. The Chamber rejected this request on 12 January 2001.
2. The applicant complains of his eviction from an apartment he occupies in Sarajevo.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the eviction was ordered in order to reinstate the pre-war occupancy right holder and that the applicant was offered an alternative accommodation. In 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.

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