



DECISION ON ADMISSIBILITY

CASE No. CH/01/6760

Sulejman ZEC

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 9 February 2001 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice-President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

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 24 January 2001. The applicant requested that the Chamber order the respondent Party as, a provisional measure, to take all necessary action to prevent his eviction. The Chamber rejected this request on 9 February 2001.

2. The applicant complains that the decision of the Administration for Housing Affairs of the Municipality Zenica issued on 8 January 2001 in favour of the pre-war occupant, did not grant him a right to alternative accommodation.

II. OPINION OF THE CHAMBER

3. The Chamber has examined the application and finds that the applicant's complaints are premature as the proceedings are still pending before the Cantonal Ministry of Urban and Physical Planning and Environment 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, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel