



DECISION ON ADMISSIBILITY

Case no. CH/01/6932

Ismet BAJRAMOVIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 11 October 2002 with the following members present:

Mr. Viktor MASENKO-MAVI, Acting President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

Mr. Ulrich GARMS, 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. FACTS

1. The application was introduced to the European Court of Human Rights in Strasbourg, France, on 15 February 2001. The European Court determined that the application was erroneously filed there, and it transmitted the application along with accompanying documents to the Chamber, where the application was registered on 28 February 2001.

2. The applicant complained that he was subjected to physical and mental maltreatment while detained in the camps called “Mitrovo polje” and “Šljivovica” (in the Republic of Serbia, former Republic of Yugoslavia) during the period between 1 July 1995 and 10 April 1996. The applicant is a displaced person from Srebrenica.

3. The applicant lived in exile until 10 April 1996, when the Office of the United Nations High Commissioner for Refugees (“UNHCR”) transferred him to the territory of Bosnia and Herzegovina.

II. REMEDIES SOUGHT

4. The applicant claims that due to the physical and mental maltreatment he suffered, he is not capable of working and is, therefore, unable to financially support himself and his family. As a result, he sets out a compensation claim for pecuniary and non-pecuniary damages.

III. OPINION OF THE CHAMBER

5. In accordance with Article VIII(2) of the Agreement, “the Chamber shall decide which applications to accept.... In so doing, the Chamber shall take into account the following criteria: (a) ... that the application has been filed with the Commission within six months from such date on which the final decision was taken.”

6. The Chamber notes that the application was introduced to the European Court of Human Rights in Strasbourg, France, on 15 February 2001. It finds that the applicant was freed from captivity on 10 April 1996. Therefore, under the circumstances, the six-month time period for filing an application with the Chamber commenced on 10 April 1996. This date is more than six months before the date on which the application was filed with the European Court. Accordingly, the application does not comply with the requirements of Article VIII(2)(a) of the Agreement. The Chamber therefore decides to declare the application inadmissible.

IV. CONCLUSION

7. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Viktor MASENKO-MAVI
Acting President of the Second Panel