



DECISION ON ADMISSIBILITY

CASE No. CH/01/7469

Azra HUSEJNAGIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 5 June 2001 with the following members present:

Ms. Michèle PICARD, President
Mr. Dietrich RAUSCHNING, Vice President
Mr. Hasan BALIĆ
Mr. Rona AYBAY
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ
Mr. Andrew GROTRIAN

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 4 May 2001. The applicant requests the Chamber to order, as a provisional measure, the withdrawal of the Chamber's order for a provisional measure of 25 January 2001 in case no. CH/01/6749, *Hot v. the Federation of Bosnia and Herzegovina*.
2. The applicant complains that the Chamber's order for a provisional measure is preventing the eviction of the present occupant of the apartment that has lawfully been allocated to her.

II. OPINION OF THE CHAMBER

3. The application, although directed against the Federation, is in essence a request for review of the above-mentioned order for a provisional measure. Since there is no provision in the Agreement allowing a third party to seek review of orders for provisional measures, it follows that the application is incompatible with the Agreement and must be declared inadmissible, 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 First Panel