



DECISION ON ADMISSIBILITY

Cases no.

CH/01/8336, CH/01/8373, CH/01/8374, CH/01/8375 and CH/01/8376

Munib OMANOVIĆ, Rasema BIČIĆ, Čamka DIZDAREVIĆ, Bejda DIZDAREVIĆ and Bejda DIZDAREVIĆ

against

THE REPUBLIKA SRPSKA

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

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

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

I INTRODUCTION

1. The applications were introduced on 30 October 2001 and 5 November 2001.
2. It appears that all applicants are of Bosniak origin having temporary residence in Sarajevo and Zenica. They request pecuniary compensation for the lost lives of their sons and husbands, who were members of the armed forces of Bosnia and Herzegovina. They also request “the criminals [responsible for those deaths] to be punished”.

II FACTS

1. Case no. CH/01/8336 Munib OMANOVIĆ

3. The applicant’s son was killed in Žepa on 27 November 1992 while he was carrying out a combat task.
4. The applicant complains that human rights have been violated as his son was deprived of his life.
5. The applicant requests pecuniary compensation and “the criminals to be punished”.

2. Case no. CH/01/8373 Rasema BIČIĆ

6. The applicant’s husband was killed on 26 October 1992 while he was carrying out a combat task in the “Borovac” region, nearby Žepa.
7. The applicant complains that there is a violation of human rights as her husband and the father of her six children was deprived of his life, so they lost their breadwinner.
8. The applicant requests pecuniary compensation and the “criminals to be punished”.

3. CH/01/8374 Čamka DIZDAREVIĆ

9. The applicant’s son was killed in Žepa on 16 December 1992 while he was carrying out a combat task in the “Borovac” region, nearby Žepa.
10. The applicant complains that there is a violation of human rights as her son was deprived of his life.
11. The applicant requests pecuniary compensation and “the criminals to be punished”.

4. Cases nos. CH/01/8375 and CH/01/8376 Bejda DIZDAREVIĆ

12. The applicant’s son was a member of the armed forces of Bosnia and Herzegovina from 2 April 1995 to 30 July 1995, when he left to Serbia with a large group of members of the same brigade. According to a certificate issued by the Žepa Municipality-the Žepa Ministry of Defence Section with its Headquarters in Zenica to the applicant, her son died on 9 September 1995 in Brus, Serbia.
13. The applicant complains that there is a violation of human rights as her son was deprived of his life (case no. CH/01/8375).

14. The applicant requests pecuniary compensation and “the criminals to be punished”.
15. The applicant’s husband was killed on 16 December 1992 while he was carrying out a combat task in the “Borovac” region, nearby Žepa.
16. The applicant complains that human rights have been violated as her husband and the father of her children, a breadwinner, was killed (case no. CH/01/8376).
17. Also with regard to her husband’s death, the applicant requests pecuniary compensation and “the criminals to be punished”.

III OPINION OF THE CHAMBER

18. 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: ... (c) The Chamber shall also dismiss any application which it considers incompatible with this Agreement, manifestly ill-founded, or an abuse of the right of petition.”

19. The Chamber is not competent to consider events that took place prior to the entry into force of the Agreement, which occurred on 14 December 1995 (case no. CH/96/1, *Matanović*, decision on admissibility of 13 September 1996, Decisions on Admissibility and Merits 1996-1997). The Chamber notes that the applicants’ sons and husbands were killed before 14 December 1995. Accordingly, the applicants’ complaints are outside the Chamber’s competence *ratione temporis*.

IV CONCLUSION

20. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel