



## **DECISION ON ADMISSIBILITY**

**CH/02/11182**

**Asim ZAMETICA**

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

## **I. INTRODUCTION**

1. The applicant introduced his application on 19 June 2002, and it was registered on the same day.
2. The applicant is of Bosniak origin. On 7 May 1992, Montenegrin and Serb paramilitary forces arrested the applicant. He was detained in a camp in Kalinovik until 4 November 1992. It is unclear from the materials submitted to the Chamber who controlled this camp.
3. The applicant complains that his human rights were violated while he was held in detention. He alleges that conditions in the camp were extremely inhuman and degrading, and that he was subjected to humiliation, forced labour, and torture.
4. The applicant complains that his right not to be subject to torture or degrading treatment or punishment, the right not to be held in slavery or servitude, the right to liberty and security of person, the right not to perform forced or compulsory labour, and the right to a fair trial have been violated. For these reasons he asks for compensation in the highest possible amount.

## **II. 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: ... (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.”
6. The Chamber finds that the facts complained of relate to a period prior to 14 December 1995, which is the date on which the Agreement entered into force. However, the Agreement only governs facts subsequent to its entry into force. It follows that the application is incompatible *ratione temporis* with the provisions of the Agreement, within the meaning of Article VIII(2)(c). The Chamber therefore decides to declare the application inadmissible.

## **III. 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