



DECISION ON ADMISSIBILITY

Case no. CH/02/12430

Adila GREDA

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on June 2003 with the following members present: 5

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

Mr. Ulrich GARMS, Registrar
Ms. Olga KAPIĆ, Deputy Registrar
Ms. Antonia DE MEO, 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. FACTS

1. The applicant, a citizen of Bosnia and Herzegovina, is a civil servant from Konjic. Her husband, Faruk Greda, was a member of the Army of Bosnia and Herzegovina and in that capacity worked in the "Factory for special requirements Igman" when on 13 August 1994 he died during his service. Faruk Greda's death resulted from his bad health and was not related to combat action.

2. On 21 May 1997 the Municipal Office for the Protection of War Invalids in Konjic rejected the applicant's request to be recognised as a family member of a fallen fighter. According to the applicant, the decision wrongfully states that her husband was assigned to the "Igman" factory, instead of acknowledging his membership in the Army. The applicant has appealed against the decision, but without success.

II. COMPLAINT

3. The applicant alleges a violation of her human rights because her requests to be recognised as the wife of a fallen fighter have been rejected. The applicant does not mention which rights in particular she considers to be violated.

III. PROCEEDINGS BEFORE THE CHAMBER

4. The application was introduced on 11 November 2002 and registered on the following day.

IV. 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 the Agreement, manifestly ill-founded, or an abuse of the right to petition."

6. The Chamber notes that the applicant complains of an alleged wrongful determination of her husband's employment status. However, even if a failure of the competent authorities to correctly determine this issue were established, the Chamber cannot find that it would affect any of the applicant's rights as protected by the Agreement.

7. Accordingly, the Chamber decides not to accept the application, it being incompatible *ratione materiae* with the Agreement within the meaning of Article VIII(2)(c) thereof.

V. CONCLUSION

8. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Ulrich GARMS
Registrar of the Chamber

(signed)
Mato TADIĆ
President of the Second Panel