



DECISION ON ADMISSIBILITY

Case no. CH/99/2179

Anto BOJO

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 11 May 2000 with the following members present:

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

Mr. Anders MÅNSSON, 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. FACTS

1. The applicant, a citizen of Bosnia and Herzegovina, is an electrical engineer from Kiseljak. He is employed with the company "Elektrodistribucija" in Kiseljak, which he accuses to not have undertaken necessary safeguarding measures to prevent the accidental electrocution of colleagues and other persons. The applicant refers to several accidents of that kind following which some of his colleagues were killed.

II. COMPLAINT

2. The applicant asserts that the criminal prosecutor has failed to conduct an investigation against the management of "Elektrodistribucija", which he alleges is responsible for the accidents. He claims that the prosecutor had an obligation to take such steps *ex officio*. The applicant asks the Chamber to order that such prosecution takes place.

III. PROCEEDINGS BEFORE THE CHAMBER

3. The application was introduced on 11 May 1999 and registered on 20 May 1999.

IV. OPINION OF THE CHAMBER

4. Before considering the merits of the case the Chamber must decide whether to accept it, taking into account the admissibility criteria set out in Article VIII(2) of the Agreement. According to Article VIII(2)(c), the Chamber shall dismiss any application which it considers incompatible with the Agreement.

5. The Chamber notes that the applicant does not appear to complain of a possible threat to his own life. As regards the alleged failure to open a criminal investigation, there is no right to have such a procedure conducted under the Agreement or in any of the treaties listed in the Appendix to the Agreement. The Chamber has therefore no authority to order the respondent Party to take action to this end.

6. 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

7. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Anders MÅNSSON
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel