



## **DECISION ON ADMISSIBILITY**

**Case no. CH/99/2772**

**Edhem VILIĆ**

**against**

**THE FEDERATION OF BOSNIA AND HERZEGOVINA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 10 November 2000 with the following members present:

Mr. Giovanni GRASSO, President  
Mr. Viktor MASENKO-MAVI, Vice President  
Mr. Jakob MÖLLER  
Mr. Mehmed DEKOVIĆ  
Mr. Vitomir POPOVIĆ  
Mr. Mato TADIĆ

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

## **INTRODUCTION**

1. The application was introduced on 16 August 1999 and registered on 20 August 1999.
2. The applicant complains that his house in Osenik (Municipality of Hadžići, Federation of Bosnia and Herzegovina) was devastated at the beginning of the war and has never been repaired. He asks the Chamber to order the Municipality of Hadžići to repair his house or to give him a donation of KM 5000.

## **OPINION OF THE CHAMBER**

3. The Chamber notes that the devastation complained of occurred before 14 December 1995 which is the date when the General Framework Agreement came into force. The Chamber is competent only to consider alleged violations which took place on or after that date. It follows that the application is incompatible *ratione temporis* with the provisions of the Agreement and must be rejected.
4. Moreover, the Chamber notes that the applicant does not complain that there has been an interference with any of the rights which are included among the rights and freedoms guaranteed under the Agreement. He only asks the Chamber to order the Municipality of Hadžići to repair his house or to give him the above donation. These, however, are not matters which are within the scope of the Chamber's jurisdiction *per se*. It follows that the application is also incompatible *ratione materiae* with the provisions of the Agreement, within the meaning of Article VIII (2) (c), and must be rejected.

## **CONCLUSION**

5. For these reasons, the Chamber, unanimously,

**DECLARES THE APPLICATION INADMISSIBLE.**

(signed)  
Peter KEMPEES  
Registrar of the Chamber

(signed)  
Giovanni GRASSO  
President of the Second Panel