



DECISION ON ADMISSIBILITY

Case no. CH/99/2941

Ehlimana HIDIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 9 March 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 is a citizen of Bosnia and Herzegovina living in the Kladanj region. During the past few years she has been embroiled in a dispute with her neighbours. She has attempted to have criminal charges brought against them on various occasions but none have been filed by the police. She alleges that one of her neighbours who works for the police has used connections to impede any investigation.

2. Owing to this lack of response to her efforts to institute criminal proceedings, the applicant filed a complaint with the police alleging lack of impartiality and professionalism. By a decision of 17 June 1999 this claim was rejected by the Department for Internal Control and Review of the Tuzla Canton, Ministry of Interior. The decision stated that the police had investigated her claims regarding her neighbours and had concluded that they were ill-founded.

II. COMPLAINTS

3. The applicant complains that she has been denied her right to have criminal proceedings initiated against her neighbours. She also states that the Chamber should assist her in her efforts to have criminal charges initiated.

III. PROCEEDINGS BEFORE THE CHAMBER

4. The application was introduced and registered with the Chamber on 29 August 1999.

IV. OPINION OF THE CHAMBER

5. 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.

6. The applicant claims that her rights have been violated as no criminal charges have been brought against her neighbours. The Chamber notes, however, that there is no right to have criminal proceedings initiated in any of the international instruments that are included in 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)
Anders MÅNSSON
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel