



DECISION ON ADMISSIBILITY

Case no. CH/99/3005

Vera KRSTIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 June 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. 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)(a) of the Agreement and Rules 49(2) and 52 of the Chamber’s Rules of Procedure:

I. FACTS

1. The applicant, a chemical engineer, is of Serb origin now living in Belgrade, Federal Republic of Yugoslavia. From 1970 until May 1992 she was working for the company "Petrolinvest" in Sarajevo. On 31 May 1992 she was dismissed, apparently without having received a written decision terminating her employment. It appears that the applicant never tried to obtain the decision that terminated her contract and that she also never instituted any court proceedings.

II. COMPLAINT

2. The applicant complains that she is discriminated against in her right to work and deprived of her right to a decent life. However, she does not seek to be re-employed, but wishes to receive compensation for lost income since 31 May 1992.

III. PROCEEDINGS BEFORE THE CHAMBER

3. The application was introduced on 28 September 1999 and registered on 12 October 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)(a), the Chamber must consider whether effective remedies exist and whether the applicant has demonstrated that they have been exhausted.

5. In the present case, the applicant has not attempted to use any domestic remedy. Furthermore, she has not shown that such remedies would be ineffective.

6. Accordingly, the Chamber decides not to accept the application pursuant to Article VIII(2)(a) of the Agreement, as the applicant has not demonstrated that the effective domestic remedies have been exhausted.

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