



DECISION ON ADMISSIBILITY

Case no. CH/99/3164

S.S.

against

**THE FEDERATION OF BOSNIA AND HERZEGOVINA
and
THE REPUBLIKA SRPSKA**

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 6 April 2000 with the following members present:

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

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 Tuzla. Her grandfather, H.S., owned fields and woods in the vicinity of Tuzla. Upon H.S.'s death in 1950, A.S., a half-sister to the applicant's father, inherited the real property.
2. A.S. died in 1999 and the applicant was summoned to take part in the inheritance proceedings concerning the estate of the deceased. On 7 October 1999, however, the applicant requested the Municipal Court in Tuzla to interrupt the inheritance proceedings concerning the estate of A.S., as she intended to initiate the renewal of the proceedings concerning H.S.'s estate (which had been completed in 1954). No decision appears to have been taken upon this request.
3. The applicant alleges that the mayor of Tuzla, the President of the Municipal Court in Tuzla and the judge in charge of the inheritance proceedings acted unlawfully.

II. COMPLAINTS

4. The applicant complains of violations of her right to her possessions, of her right to a fair trial and also of her right to life, insofar as the assertedly unlawful deprivation of H.S.'s estate reduced her branch of the family to poverty.

III. PROCEEDINGS BEFORE THE CHAMBER

5. The application was introduced on 12 November 1999 and registered on the same day.

IV. OPINION OF THE CHAMBER

6. 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 manifestly ill-founded.
7. The Chamber notes that nothing in the facts as presented by the applicant suggests that there has been a violation of the applicant's human rights protected by the European Convention on Human Rights or any of the other instruments listed in the Appendix to the Agreement. In fact, the applicant appears to be involved in a private inheritance dispute with her relatives. She has offered no explanation or substantiation of her complaint that the administrative and judicial authorities involved in the inheritance proceedings breached the law, nor can the Chamber find any indication thereof on its own motion. Accordingly, the Chamber decides not to accept the application, it being manifestly ill-founded within the meaning of Article VIII(2)(c) of the Agreement.

V. CONCLUSION

8. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Anders MÅNSSON
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel