



DECISION ON ADMISSIBILITY

Case no. CH/01/7189

Vida BALABAN

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 8 June 2001 with the following members present:

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

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

I. INTRODUCTION

1. The application was introduced on 5 June 2001 and registered on the same date. The applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary action to prevent, her eviction from an apartment, which she uses. On 8 June 2001, the First Panel decided not to order the provisional measure requested.

2. The applicant complains that she is to be evicted from the apartment concerned. She was informed of this orally but has received no written decision.

II. OPINION OF THE CHAMBER

3. The Chamber finds that the application is premature as no written decision has yet been issued. When such a decision is issued the applicant will be able to initiate administrative or judicial proceedings. The Chamber finds that the applicant has therefore not, as required by Article VIII(2)(a) of the Agreement, exhausted the effective remedies.

4. It follows that the application must be rejected in accordance with Article VIII(2)(a) of the Agreement.

III. CONCLUSION

5. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel