

Human Rights Review Panel

European Union Rule of Law Mission

Kosovo

Annual Report 2021

1 January to 31 December 2021

Human Rights Review Panel - Secretariat

Rrustem Statovci Street no. 29 – 10000 Pristina – Kosovo

Tel: +383 (0) 38 28 2207

Email: office@hrrp.eu

www.hrrp.eu

Foreword

This is the twelfth Annual Report of the Human Rights Review Panel (hereinafter, “the Panel” or “HRRP”), which covers the period from 1 January 2021 to 31 December 2021.

This report has been prepared by the Panel and is presented to the Mission, to EU Member States and contributing third states, as well as to the general public with a view to disseminating information on the development of the case law and activities of the Panel.

During the reporting period, the Panel conducted five (5) sessions and adopted a total of twenty-one (21) Decisions in fourteen (14) cases.

As has been the case generally, the work of the Panel in 2021 has continued to be marked by the consequences of Covid-19. International travel restrictions and social distancing measures inside Kosovo have compelled the Panel and, in particular, its Secretariat, to adapt its working methods. All of the Panel’s five (5) sessions held in 2021 have thus taken place via video-link. In addition, two (2) meetings were held between the Panel and the Head of Mission of EULEX, which also had to take place via video-link (22 April 2021 and 23 September 2021).

Remote sessions of the Panel were carefully prepared in order to ensure that online deliberations were as effective as possible. Despite the challenges, the Panel rendered twenty-one (21) decisions over the period. This includes three (3) decisions exclusively on the merits; six (6) combined decisions on admissibility and merits; and six (6) follow-up decisions.

Though most of the Panel’s outreach meetings had to be postponed due to the prevailing circumstances, the Panel did launch two (2) new informational videos describing how to make a complaint and how the Panel processes complaints.

In addition, the Panel published an interim assessment report covering its first ten (10) years of operations (2010-2020). This report evaluates the effectiveness of the Panel as a human rights accountability mechanism for an international mission. In a first discussion of this interim assessment report, the Mission rejected most of the Panel’s considerations. The Panel remains seized of the matter.

The Secretariat has been particularly affected by the pandemic and must be commended for the efforts, resilience and resourcefulness shown during that difficult period of time.

The Panel has undergone major changes in composition during 2021. As a result of these changes, the Panel was effectively not able to operate during the fourth quarter of 2021, due to a lack of external panel members.

The changes resulted from the resignations of panel members. First, in March the EULEX Member, Anna Bednarek, left the Mission and vacated her position on the Panel. In April, the Presiding Member, Guénaél Mettraux, resigned from the Panel, relinquishing the duties of Presiding Member to Anna Autio. Then in September 2021, Ms Autio also resigned from the Panel.

Following an internal recruitment procedure, in July 2021, Mr Alexander Fassihi was appointed as EULEX Member to replace Anna Bednarek. A first selection procedure in May-June for a new External Member failed to identify any suitable candidates. Following a second selection procedure in August-September, Ms Snježana Bokulić was selected and appointed as External Member of the Panel in

December 2021. In the absence of a second External Member, Ms Bokulić became the Acting-Presiding Member of the Panel. A new recruitment procedure was initiated just before the end of the year in order to identify a second External Member.

The Panel wishes to take this opportunity to thank its outgoing members, Anna Bednarek, Guénaél Mettraux and Anna Autio for their very valuable contributions to the work of the Panel.

In 2021, one (1) new complaint was registered. The Panel finalized one (1) case, concluding that further follow-up would not be effective.

As of 31 December 2021, the pending case-load stood at twenty-four (24) cases. Of these, twenty (20) cases where a violation of the complainant's rights had been established remain open and subject to assessment of the implementation of the Panel's recommendations by the Head of Mission.

Of the twenty-four (24) pending cases, twenty (20) relate to cases of enforced disappearances during and after the 1998-1999 Kosovo conflict. All of these cases were originally communicated to the Head of Mission of EULEX in December 2017. No progress was made in these cases during 2018 in large part due to the reconfiguration of the Mission. Over the course of 2019, 2020 and 2021, the Panel has been able to reach decisions on admissibility and merits in nineteen (19) of these cases. At the end of 2021, that left only one (1) case of enforced disappearances still awaiting a first response from the Head of Mission and a decision by the Panel. According to the Mission, there is information relating to this remaining case which required prior approval from local authorities before it can be released to the Panel.

The cases of missing persons (or enforced disappearance) date back to the 1998-1999 conflict or its immediate aftermath, a time when the Mission did not yet exist. Initially, these cases came under the responsibility of UNMIK before they came under the responsibility of the European Union Rule of Law Mission, EULEX Kosovo (hereinafter, "the Mission") when the Mission was created in 2008. These cases are emblematic of the work of the Mission, but also of its failures. It is increasingly apparent from complaints that have come before the Panel that the Mission has failed in its efforts to bring justice and accountability for the surviving relatives of the missing. For a decade, the responsibility to investigate those cases was with the Mission. Although it faced great challenges and difficulties, it also failed to fulfil its human rights obligations in relation to those cases. Some of the shortcomings observed by the Panel were systemic. They show a lack of planning and of internal coordination, a lack of vision, a lack of a necessary policy in relation to cases involving allegations of grave human rights violations, a lack of adequate prioritization, and a general lack of focus. They also show a lack of understanding of the Mission's human rights obligations, in particular in its operations.

The Mission also failed to fully address the flaws and shortcomings left over from the UNMIK Mission that had preceded it. This caused some of UNMIK's failures to be *imported* into the Mission and perpetuated. As a result, only a small fraction of cases of missing persons that were within the competence of the Mission, and which it was required as a matter of human rights law to investigate, were in fact investigated. The vast majority of those remained untouched.

Also concerning in that regard is the Mission's failure to put in place a communication policy that would have enabled it to communicate with the relatives and surviving members of the families of the missing. The families were left to try to find information by themselves with the Mission being only rarely engaged or effective in assisting them.

As a result, two decades and two international missions later, the situation of the missing persons in Kosovo is still almost at the same point as it was in the immediate aftermath of the conflict as far as human rights and accountability are concerned. That is despite the best efforts and increasing body of decisions by the Panel on the subject.

Recommendations of the Panel in relation to the cases related to missing persons have been implemented only in part by the Mission. Two considerations are particularly problematic in that regard. The first is the Mission's continued refusal to acknowledge the fact that it has violated the fundamental rights of the complainants despite the Panel having found so and despite the fact that this reality is unavoidable. This refusal appears to be motivated by the Mission's concern that it could be held legally accountable if it were to recognize that fact. That concern is, in the view of the Panel, theoretical rather than real. Furthermore, even if real, it would be a great irony that the Mission would take steps to make itself unaccountable when its very mandate is to ensure accountability for others.

In discussions with the Panel in the course of 2021, the Mission has promised to arrange individual meetings with all of the families of the missing persons cases. As of the end of 2021, no meetings have yet been arranged or taken place. The Panel is pleased that the Head of Mission concurs that relatives are entitled to know what happened, that this is their fundamental human right, and that authorities everywhere have an international and legal obligation to do all they can. The Panel recognizes the work of EULEX to support the Kosovo authorities in addressing these obligations and reiterates that EULEX should fully implement the Panel's recommendations.

Snježana Bokulić
Acting-Presiding Member
Human Rights Review Panel

Table of Contents

Foreword	2
1. Regulatory Framework	6
1.1. Council Decision CFSP 2018/856 of 8 June 2018.....	6
1.2. Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission EULEX Kosovo	6
1.3. Accountability Concept EULEX Kosovo – Human Rights Review Panel, General Secretariat of the Council, Brussels of 29 October 2009.....	6
1.4. Applicable International Human Rights Instruments	7
1.5. Rules of Procedure	7
1.6. Revised and expedited processing of cases	8
2. Caseload and subject matter of complaints	8
2.1. Caseload and statistics	8
2.2. Subject matter of complaints	9
2.3. Sessions of the Panel	9
3. Jurisprudence.....	10
3.1. Introduction.....	10
3.2. Decisions on Merits	10
3.3. Decisions on Admissibility	13
3.4. Decisions on Requests for Revision.....	14
3.5. Decisions on Follow-up	14
4. Other activities of the Panel	16
4.1. Meetings.....	16
4.2. Public Outreach Campaign 2021	16
4.2.1. Meetings with Kosovo Organizations.....	16
4.2.2. Informational Videos.....	17
4.3. Induction training	17
4.4. HRRP online	17
4.5. Human Rights Accountability in the Context of EULEX Kosovo’s Rule of Law Mission – Interim Assessment.....	18
5. The Panel and the Secretariat.....	18
5.1. Members of the Panel.....	18
5.1.1. Interference by the Mission with the Panel’s independence	18
5.1.2. Presiding Member	19
5.1.3. Members as of 31 December 2021	19
5.2. The Secretariat	21
6. Operational and Administrative Matters.....	21
6.1. Budget	21
6.2. Human resources	21

7.	Conclusions and recommendations.....	21
7.1.	General considerations	21
7.2.	Acknowledgment of violations of human rights by EULEX	22
7.3.	Reparation programme	22
7.4.	Enforced Disappearance Cases	23
7.5.	The Mission and human rights	24
ANNEX 1	Statistics 2010 - 2021	25
ANNEX 2	Table of Violations and Follow-Up Decisions – 31 December 2021.....	26
ANNEX 3	Decisions of the Panel 2010-2020	27

1. Regulatory Framework

The legal basis for the operation of the European Union Rule of Law Mission in Kosovo, EULEX Kosovo (hereinafter, “the Mission”), derives generally from the United Nations Security Council Resolution 1244(1999) of 10 June 1999, and is provided specifically by Decisions of the Council of the European Union. These Council Decisions serve to implement the Common Security and Defence Policy (CSDP) of the European Union.

1.1. Council Decision CFSP 2018/856 of 8 June 2018

In its current mandate as amended by Council Decision CFSP 2018/856, the Mission monitors selected cases and trials in Kosovo's criminal and civil justice institutions. This includes but is not limited to cases that were handed over to the competent Kosovo institutions. Furthermore, EULEX Kosovo retains a limited number of executive powers in relation to, *inter alia*, witness protection, criminal intelligence and the maintenance of public order, as second responder to the local authorities.

1.2. Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission EULEX Kosovo

The Council Joint Action is the source of the authority and power of the EULEX Mission in Kosovo. It laid down the *mandate* of EULEX Kosovo and, *inter alia*, specified its responsibility to act in compliance with relevant human rights standards in Article 3 (i): “*ensure that all its activities respect international standards concerning human rights and gender mainstreaming*”.

1.3. Accountability Concept EULEX Kosovo – Human Rights Review Panel, General Secretariat of the Council, Brussels of 29 October 2009

The establishment of an independent, effective, transparent human rights accountability mechanism was considered early on in the Mission's operation to be a fundamental requirement for EULEX Kosovo as a Rule of Law Mission vested with certain executive functions. These executive functions included various functions in policing and prosecution reserved for EULEX officials in relation to the maintenance of public order, criminal investigation and prosecution, particularly of war crimes and organised crime, and assistance in forensic anthropology. Such an external accountability mechanism was intended to complement and supplement the overall accountability of EULEX Kosovo as provided by the Third Party Liability Insurance Scheme and the EULEX Internal Disciplinary Mechanism.

Thus, the Accountability Concept laid down the *mandate* of the Panel to: *review complaints from any person, other than EULEX Kosovo personnel, claiming to be the victim of a violation of his or her human rights by EULEX Kosovo in the conduct of the executive mandate of EULEX Kosovo.*¹

However, pursuant to the Accountability Concept, the Panel did not have jurisdiction in respect of the Kosovo courts. The fact that at one time EULEX judges sat on the bench of a particular court does not modify the character of these courts as Kosovo courts.

The Panel adopted its own Rules of Procedure on 10 June 2010, the date from which it was authorized to receive complaints. It amended its rules on 21 November 2011, 15 January 2013, 15 January 2019 and again on 11 December 2019.

1.4. Applicable International Human Rights Instruments

In accordance with the provisions of the Accountability Concept, the Panel may consider complaints pertaining to alleged breaches of relevant human rights instruments, including these:

- The Universal Declaration of Human Rights (1948)
- The European Convention for the Protection of Human Rights and Fundamental Freedoms (the Convention, 1950)
- The Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1965)
- The International Covenant on Civil and Political Rights (ICCPR, 1966)
- The International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)
- The Convention on Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)
- The Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT, 1984)
- The International Convention on the Rights of the Child (CRC, 1989)

In practice, the complaints filed to date have been primarily based upon the European Convention on Human Rights ("European Convention") and its Protocols. A number of complaints have also made reference to the Universal Declaration of Human Rights, International Covenants and other human rights instruments. References were also made in a number of cases to the case-law of the Inter-American Court of Human Rights, the Geneva Conventions, and to the Rome Statute of the International Criminal Court.

1.5. Rules of Procedure

As a consequence of the entry into force on 15 June 2018 of Council Decision CFSP 2018/856, the mandate and composition of the Human Rights Review Panel was also changed. In order to reflect these changes, the Rules of Procedure needed to be amended.

On 15 January 2019, the Panel adopted its amended Rules of Procedure to account for the change in the Mission's mandate and the need to recompose the Panel.

On 11 December 2019, the Panel adopted an amendment to Rule 43 of the Rules of Procedure, to allow both parties to a complaint to be able to submit a request for revision of findings of a decision of the Panel, in circumstances where new information had come to light that was not available at the time when the Panel rendered its initial decision.

¹ The Accountability Concept is part of the Operation Plan of EULEX. It is therefore deemed to be a restricted document and thus not accessible to the public. The Panel is therefore not at liberty to disclose its details.

The Rules of Procedure are available in the English, Albanian and Serbian languages on the website of the Panel at <https://hrrp.eu/reference-documents.php>.

1.6. Revised and expedited processing of cases

By letter of 18 September 2020, the Panel informed the Head of Mission of EULEX that, in light of the Covid-19 pandemic and the measures adopted to mitigate its effects, delays have been caused in both the processing of complaints pending before the Panel, as well as in the communications between the Panel and complainants.

Therefore, the Panel decided and informed the Mission that, in order to accelerate the processing of pending cases, starting from the end of 2020, the Panel would generally deal with issues of admissibility and merits at the same time in a single decision.

2. Caseload and subject matter of complaints

2.1. Caseload and statistics

As of 1 January 2021, the pending caseload stood at twenty-four (24) cases.

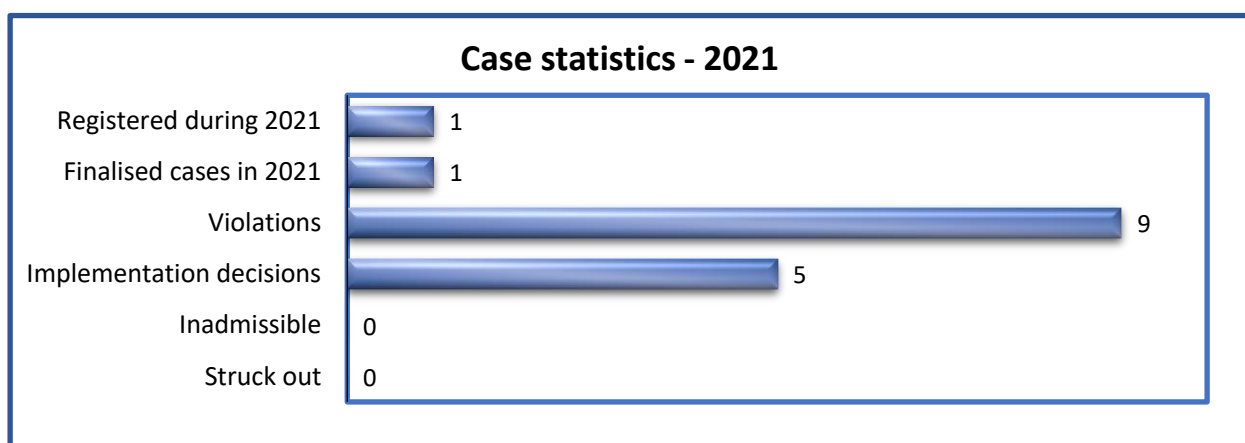
The Panel received one (1) new complaint in 2021.

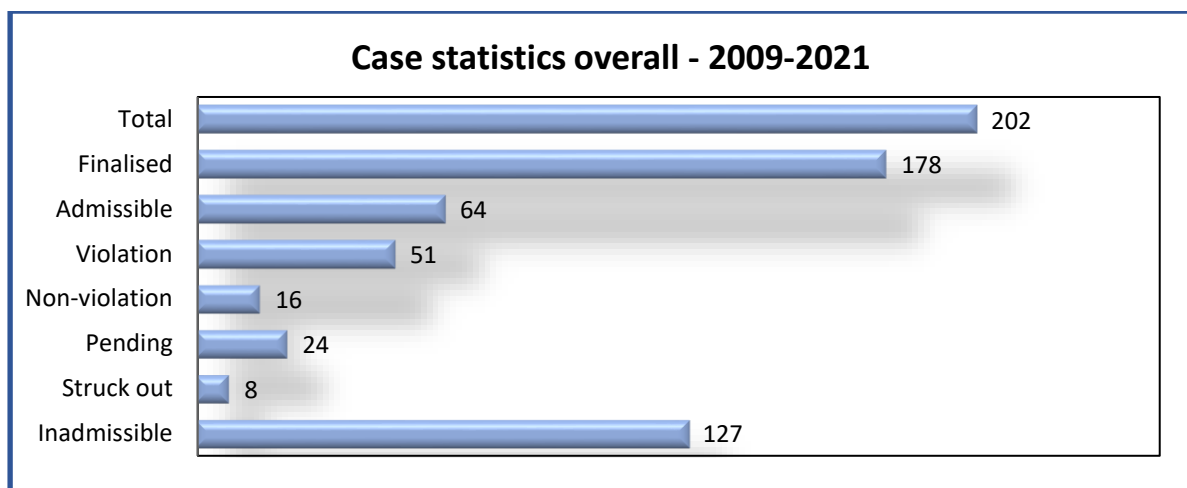
The Panel finalised one (1) case after following up on the implementation of its recommendations.

The Panel declared six (6) cases to be admissible and found that the Mission had violated the human rights of complainants in nine (9) cases.

Follow-up decisions were adopted in five (5) cases, where the Panel continued to assess the implementation of its recommendations.

The pending caseload on 31 December 2021 stood at twenty-four (24) cases.





2.2. Subject matter of complaints

The complaints which were examined by the Panel in 2021 predominantly concerned cases of enforced disappearances, which took place either during or immediately after the 1998-1999 conflict in Kosovo. The complaints pertain in particular to alleged violations of the right to life under its procedural limb, and the right to freedom from torture, inhuman or degrading treatment as a result of the suffering caused by the disappearance and lack of an effective investigation, as guaranteed by Articles 2 and 3 of the European Convention.

One of the complaints examined during 2021 concerned the right to respect for private life of a third party in connection with a criminal trial. The complaint pertained in particular to the manner in which a EULEX Prosecutor had expressed opinions about the complainant in a television interview following the conclusion of a criminal trial. The complainant was not a party to this criminal trial and alleged that through these public statements the Mission had violated the right to respect for private life as guaranteed by Article 8 of the European Convention on Human Rights and Fundamental Freedoms.

2.3. Sessions of the Panel

During 2021, the Human Rights Review Panel held five sessions. Due to the continued travel restrictions and social distancing measures imposed from 15 March 2020, in mitigation of the coronavirus pandemic, all of the sessions were conducted via electronic means, as authorized by *Rule 13. Deliberations, Paragraph 3* of the Rules of Procedure.

- 48th Session: 12 February 2021;
- 49th Session: 26 March 2021;
- 50th Session: 29 April 2021;
- 51st Session: 29 June 2021; and
- 52nd Session: 16 September 2021.

3. Jurisprudence

3.1. Introduction

The Panel continued with the development of its jurisprudence and issued a number of decisions on merits and combined decisions on admissibility and merits during the reporting period.

In so doing, the Panel relied extensively on the European Convention and the jurisprudence of the European Court of Human Rights (ECtHR), but also drew lessons from other international instruments, and decisions and statements of relevant monitoring bodies. This includes the international human rights conventions of the United Nations and the relevant monitoring mechanisms, the Inter-American Convention of Human Rights (and associated case law), as well as the jurisprudence of the United Nations Human Rights Advisory Panel of UNMIK, its own case law, and the applicable law in Kosovo.

In addition, the Panel issued a number of decisions on follow-up to previous decisions on the merits. The Panel's ability to follow-up on its recommendations is an important element of its normative infrastructure insofar as it allows it to ensure that its recommendations are duly and fully considered by the Mission and that they are implemented to the greatest possible extent.

3.2. Decisions on Merits

The Panel rendered nine (9) decisions on merits in the course of 2021.

Panel session of 26 March 2021

- Case [2016-15 Dragan Janačković against EULEX](#). On 26 March 2021, the Panel adopted its Decision and Findings. In that Decision, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed of relevant developments in that case. As a result, the Panel determined that the Mission was responsible for a violation of the complainant's rights under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel also determined that the Mission was responsible for failing to provide the complainant with an effective remedy in violation of Article 13 of the Convention. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to seeking to find a remedy for the violation of his rights. The Mission's implementation of those recommendations is pending.
- Case [2016-20 Dragica Čerimi against EULEX](#). On 26 March 2021, the Panel adopted its Decision on Admissibility and Findings. Having found the case admissible, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed of relevant developments in the case. Furthermore, the Panel

noted that the fact that the body of the close family member had been identified and returned to the family did not absolve EULEX of its obligations. As a result, the Panel determined that the Mission was responsible for a violation under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to seeking to find a remedy for the violation of her rights. The Mission's implementation of those recommendations is pending.

- Case [2016-21 Milanka Čitlučanin against EULEX](#). On 26 March 2021, the Panel adopted its Decision on Admissibility and Findings. Having found the case admissible, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed of relevant developments in the case. As a result, the Panel determined that the Mission was responsible for a violation of the complainant's rights under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to seeking to find a remedy for the violation of her rights. The Mission's implementation of those recommendations is pending.
- Case [2016-30 Svetlana Đorđević against EULEX](#). On 26 March 2021, the Panel adopted its Decision on Admissibility and Findings. Having found the case admissible, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed of relevant developments in the case. Furthermore, the Panel noted that the fact that the body of the close family member had been identified and returned to the family did not absolve EULEX of its obligations. As a result, the Panel determined that the Mission was responsible for a violation of the complainant's rights under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to seeking to find a remedy for the violation of her rights. The Mission's implementation of those recommendations is pending.

Panel Session of 29 June 2021

- Case 2016-16 [Dobrivoje Vukmirović against EULEX](#). On 29 June 2021, the Panel adopted its Decision and Findings. In its Decision, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed. As a result, the Panel determined that the Mission was responsible for a violation under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel also determined that the Mission was responsible for failing to provide the complainant with an effective remedy in violation of Article 13 of the Convention. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to finding a remedy for the violation of his rights. The Mission's implementation of those recommendations is pending.
- Case 2016-19 [Dušan Milosavljević against EULEX](#). On 29 June 2021, the Panel adopted its Decision on Admissibility and Merits. In its Decision, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed. As a result, the Panel determined that the Mission was responsible for a violation under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to finding a remedy for the violation of his rights. The Mission's implementation of those recommendations is pending.
- Case 2016-22 [Radmila Šapić against EULEX](#). On 29 June 2021, the Panel adopted its Decision and Findings. In its Decision, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed. As a result, the Panel determined that the Mission was responsible for a violation under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to finding a remedy for the violation of her rights. The Mission's implementation of those recommendations is pending.

- Case 2016-32 [Biljana Đorđević against EULEX](#). On 29 June 2021, the Panel adopted its Decision on Admissibility and Merits. In its Decision, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close family member and had failed to keep the complainant informed. As a result, the Panel determined that the Mission was responsible for a violation under the procedural limb of the complainant's right to life as guaranteed by Article 2 of the European Convention on Human Rights, and for a violation of the complainant's right to freedom from inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission of EULEX, including to inquire with the authorities what steps are being taken to investigate this case, and to emphasize with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation. The Panel also invited the Head of Mission to reach out to the complainant with a view to finding a remedy for the violation of her rights. The Mission's implementation of those recommendations is pending.

Panel session of 16 September 2021

- Case [2018-01 Y.B.2 against EULEX](#). On 16 September 2021, the Panel adopted its Decision on Admissibility and Merits. In its Decision, the Panel rejected the complainant's request for interim measures. The Panel also rejected the Mission's request to strike the case out of its list of cases. Regarding the complaint of a violation of the right to the presumption of innocence, as protected by Article 6(2) of the European Convention on Human Rights, the Panel rejected this complaint as manifestly ill-founded. Regarding the complaint of a violation of the right to respect for private life, as protected by Article 8 of the European Convention on Human Rights, the Panel found that the statements made by the EULEX Prosecutor in the television interview constituted an unjustified interference with the complainant's reputation, and thereby had violated Article 8. The Panel invited the Mission to make a public declaration acknowledging that the circumstances of the case amounted to a breach of the complainant's rights as a result of acts attributable to EULEX in the performance of its executive mandate.

3.3. Decisions on Admissibility

The Panel rendered six (6) decisions on admissibility in 2021.

Panel session of 26 March 2021

The Panel declared three (3) complaints admissible during this session.

- Case [2016-20 Dragica Čerimi against EULEX](#). (See above under Decisions on the merits).
- Case [2016-21 Milanka Čitlučanin against EULEX](#). (See above under Decisions on the merits).
- Case [2016-30 Svetlana Đorđević against EULEX](#). (See above under Decisions on the merits).

Panel session of 29 June 2021

The Panel declared two (2) complaints admissible during this session.

- Case 2016-19 [Dušan Milosavljević against EULEX](#). (See above under Decisions on the merits).
- Case 2016-32 [Biljana Đorđević against EULEX](#). (See above under Decisions on the merits).

Panel session of 16 September 2021

The Panel declared one (1) complaint admissible during this session.

- Case [2018-01 Y.B.2 against EULEX](#). (See above under Decisions on the merits).

3.4. Decisions on Requests for Revision

The Panel did not receive any requests for revision during 2021.

3.5. Decisions on Follow-up

The Panel issued six (6) decisions on follow-up during 2021.

Panel session of 12 February 2021

- Case [2016-13 Miomir Krivokapić against EULEX](#). On 12 February 2021, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. As a preliminary matter, the Panel noted that the rights of the complainant in the present case appear to still be violated as the case of his missing relative remains un-investigated. The Panel considered that the steps thus far taken or proposed by the Mission in order to address the Panel's findings and recommendations do not provide an adequate or effective response to the violation of the rights of the complainant. The Panel invited the Mission to consider once again the Panel's recommendations that have not been complied with, and to inform the Panel of the result of those considerations. The Panel further invited the Mission to adopt measures in response to the Panel's recommendations that truly reflect the depth of the Mission's commitment to upholding human rights standards and to repair the serious harm caused to the complainant in this case. The Panel decided to keep the present case open for possible further follow-up.
- Case [2016-14 Milan Ađančić against EULEX](#). On 12 February 2021, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. As a preliminary matter, the Panel noted that the rights of the complainant in the present case appear to still be violated as the case of his missing relative remains un-investigated. The Panel considered that the steps thus far taken or proposed by the Mission in order to address the Panel's findings and recommendations do not provide an adequate or effective response to the violation of the rights of the complainant. The Panel invited the Mission to consider once again the Panel's recommendations that have not been complied with, and to inform the Panel of the

result of those considerations. The Panel further invited the Mission to adopt measures in response to the Panel's recommendations that truly reflect the depth of the Mission's commitment to upholding human rights standards and to repair the serious harm caused to the complainant in this case. The Panel decided to keep the present case open for possible further follow-up.

Panel session of 29 April 2021

- Case 2016-09 [Slobodan Trifunović against EULEX](#). On 29 April 2021, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. As a preliminary matter, the Panel noted that the rights of the complainant in the present case appear to still be violated as the case of his missing relative remains un-investigated. The Panel considered that the steps thus far taken or proposed by the Mission in order to address the Panel's findings and recommendations do not provide an adequate or effective response to the violation of the rights of the complainant. The Panel invited the Mission to consider once again the Panel's recommendations that have not been complied with, and to inform the Panel of the result of those considerations. The Panel further invited the Mission to adopt measures in response to the Panel's recommendations that truly reflect the depth of the Mission's commitment to upholding human rights standards and to repair the serious harm caused to the complainant in this case. The Panel decided to keep the present case open for possible further follow-up.
- Case 2016-10 [Dragiša Kostić against EULEX](#). On 29 April 2021, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. As a preliminary matter, the Panel noted that the rights of the complainant in the present case appear to still be violated as the case of his missing relative remains un-investigated. The Panel considered that the steps thus far taken or proposed by the Mission in order to address the Panel's findings and recommendations do not provide an adequate or effective response to the violation of the rights of the complainant. The Panel invited the Mission to consider once again the Panel's recommendations that have not been complied with, and to inform the Panel of the result of those considerations. The Panel further invited the Mission to adopt measures in response to the Panel's recommendations that truly reflect the depth of the Mission's commitment to upholding human rights standards and to repair the serious harm caused to the complainant in this case. The Panel decided to keep the present case open for possible further follow-up.
- Case 2019-01 [G.T. against EULEX](#). On 29 April 2021, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. The Panel noted that the Mission had followed and implemented some but not all of the Panel's recommendations. In particular, the Panel considered that the Mission had failed to acknowledge the violation of the complaint's rights and had failed to contact the complainant directly with regard to establishing the need for additional security arising from the complainant's testimony in Serbia. The Panel invited the Mission once again to comply with these two recommendations. The Panel decided to keep the present case open for possible further follow-up.

Panel session of 16 September 2021

- Case [2019-01 G.T. against EULEX](#). On 16 September 2021, the Panel adopted a Second Decision on the Implementation of the Recommendations of the Human Rights Review

Panel. The Panel noted that the Mission had followed and implemented some but not all of the Panel's recommendations. In particular, the Panel considered that the Mission had failed to acknowledge the violation of the complainant's rights and had failed to contact the complainant directly with regard to establishing the need for additional security arising from the complainant's testimony in Serbia. The Panel regretted that the Mission once again had failed to comply with these two recommendations. Furthermore, the Panel reiterated that the Mission is responsible for providing an effective remedy for the human rights violation it has committed in the present case, and that the Mission cannot delegate its human rights obligations to third parties. The Panel asked the Mission to circulate the present Decision to relevant officials of the Mission and authorities outside of it. The Panel decided to close the examination of the case.

4. Other activities of the Panel

4.1. Meetings

On 22 April 2021, the Panel met via video conference with Mr Lars-Gunnar Wigemark, the Head of Mission of EULEX Kosovo. The topic of this meeting between the Human Rights Review Panel (HRRP) and the Head of Mission of EULEX was to discuss the HRRP's report *"Human Rights Accountability in the Context of EULEX Kosovo's Rule of Law Mission – Interim Assessment"*, that the HRRP had provided to the Head of Mission on 31 March 2021 (see also *Section 4.5* below). This meeting also provided the Head of Mission with an opportunity to thank the outgoing Presiding Member of the Panel, Dr Guénaél Mettraux.

On 23 September 2021, the Panel met via video conference with Mr Lars-Gunnar Wigemark, the Head of Mission of EULEX Kosovo. The topic of this meeting between the Human Rights Review Panel (HRRP) and the Head of Mission of EULEX was to discuss any outstanding issues prior to the departure from the Mission of the then Presiding Member of the Panel, Ms Anna Autio.

4.2. Public Outreach Campaign 2021

The Accountability Concept Document of 29 October, 2009 stated, *inter alia*, at para E, that, *"...EULEX Kosovo will ensure a proper dissemination of public information on the Panel and its work..."*

The Civilian Operations Commander, in his instruction of 13 November 2009, stated, in relation to the Panel, that the Road Map for Civilian Planning Conduct Capability should include, *"...preparation of a comprehensive PR campaign"*.

4.2.1. Meetings with Kosovo Organizations

On 23 February 2021, the Head of the Secretariat of the Panel met with Mr Negovan Mavrić, newly appointed Serb Coordinator of the Missing Persons Resource Center (MPRC). They discussed the status of the missing persons cases pending before the Human Rights Review Panel, and reconfirmed the importance of the role of the MPRC as a conduit for correspondence with complainants residing in the northern municipalities of Kosovo, where normal postal operations are not available.

4.2.2. Informational Videos

Following on from the first informational video published on International Human Rights Day 2020, in the second quarter of 2021 the Human Rights Review Panel published two additional short informational videos. The purpose of these videos is to generate awareness of the Panel and its work, in particular among the local population in Kosovo, in line with the Panel's mandate. Both videos were released in English, Albanian, and Serbian.

In April 2021, the Human Rights Review Panel published its second informational video. This second video explains in simple terms, *"How can you make a complaint to the Human Rights Review Panel?"*

In May 2021, the Human Rights Review Panel published a third informational video. This third video describes, *"What does the Human Rights Review Panel do with your complaint?"*

These two videos were published on the Panel's website, Facebook page and LinkedIn page.

Both videos can be found at this location: <https://hrrp.eu/videos.php>

4.3. Induction training

Newly deployed Mission members receive an induction training that includes a component on the mandate and operation of the Human Rights Review Panel. The Secretariat has provided basic materials in support of this training. This process is useful to brief future staff members on the mandate of the Panel, to further underline the importance of human rights compliance for EULEX Kosovo and to raise the profile of the Panel with EULEX staff members in the EULEX Kosovo area of operations. This is an important element in the process of ensuring that staff of the Mission are made aware of their human rights obligations and are able to act in accordance therewith.

4.4. HRRP online

The Secretariat maintains the Panel website at: www.hrrp.eu. The site contains information on the mandate, procedure and operations of the Panel. It also contains regularly updated information on the decisions of the Panel as well as the list of pending and finalised cases.

The table of the jurisprudence of the Panel is readily accessible. It lists the Panel's growing case law by subject matter both on admissibility and substance of cases under consideration. This was created, inter alia, to provide ready and user-friendly access to the case law of the Panel for complainants, lawyers and the public at large: (<http://www.hrrp.eu/jurisprudence.php>).

The Panel has also produced a number of "Case-Law Notes" that summarise by topic some of the most important aspects of its jurisprudence (http://hrrp.eu/Case-Law_Notes.php).

The website also provides information on:

Applicable human rights standards: (<http://www.hrrp.eu/relevant-rights.php>);

Application forms and instructions for filing complaints: (<http://hrrp.eu/filing%20complaints.php>);

Moreover, the Panel has a profile on Facebook and LinkedIn: Human Rights Review Panel.

The above information is available in the English, Albanian and Serbian languages.

4.5. Human Rights Accountability in the Context of EULEX Kosovo's Rule of Law Mission – Interim Assessment

In April 2021, the Human Rights Review Panel published a report entitled ["Human Rights Accountability in the Context of EULEX Kosovo's Rule of Law Mission – Interim Assessment"](#).

The objective of this report is threefold: to provide a detailed account of the work of the Panel up to the present; to provide lessons learned – positive and negative – and recommendations for the human rights accountability of any future international rule of law missions; and, to highlight areas of improvement for the EULEX Kosovo mission in terms of its human rights accountability for the remainder of its mandate.

The report is intended to be of relevance to the Mission and EU authorities, the EU Member States and Third Contributing States, Kosovo authorities, the diplomatic community, other intergovernmental organisations, human rights scholars and practitioners, and civil society both in Kosovo and internationally.

In a first discussion of this interim assessment report, the Mission rejected most of the Panel's considerations. The Panel remains seized of the matter.

5. The Panel and the Secretariat

5.1. Members of the Panel

Under the Accountability Concept and the Panel's Rules of Procedure based on it, the Panel consists of four members; two external members and two EULEX members, of which one is a substitute for the other. Prior to the revision of the mandate in June 2018, the two EULEX members were EULEX staff members appointed to work as judges in the Kosovo judicial system. Following the revision of the mandate, the two EULEX members are staff members of the Monitoring Pillar of EULEX.

The composition of the Panel changed substantially during the course of 2021. On 30 March 2021, the EULEX Member of the Panel, Ms Anna Bednarek, resigned. On 30 April 2021, The Presiding member of the Panel, Dr Guénaél Mettraux, resigned, and his position as Presiding member was formally transferred to Ms Anna Autio. Subsequently, on 24 September 2021, Ms Autio also resigned.

Following an internal recruitment process, on 29 July 2021, Mr Alexander Fassihi was appointed as EULEX Member of the Panel. Following an external recruitment process, on 6 December 2021, Ms Snježana Bokulić was appointed as External Member of the Panel. An additional recruitment process was initiated in December 2021 in order to identify a second external panel member.

5.1.1. Interference by the Mission with the Panel's independence

The Panel must unfortunately report on undue interference by the Mission with the Panel's independence and impartiality during the reporting period. The interference relates to the recruitment of the Panel's External Member.

During the selection procedure for the External Panel Member, the Mission first indicated it would place an observer on the selection panel. The Panel objected to this by sending a formal letter to the Head of Mission, reminding him of the importance of respecting the Panel's independence in the selection process, and requesting the Mission to refrain from placing an observer on the selection panel. The Mission then delayed proceeding with the selection by withholding from the selection panel the list of the successful candidates following a written test, and by not coordinating interviews. The selection process had a degree of urgency attached to it, since the Panel was at risk of being without External Members and therefore not able to function. The Mission did so over a period of two weeks, with no apparent reason, until it responded to the concerns raised by withdrawing from placing an observer on the selection panel and allowing for the selection procedure to continue. The Head of Mission, in his response, assured that the Mission will continue to make sure that the HRRP can independently exercise its functions but at the same time expressed the Mission's opposing view that the presence of observers in HRRP selection panels as having no bearing on the independent exercise of the HRRP's functions.

Following the response from the Head of Mission the selection process was successfully concluded and an external Panel Member was selected and later appointed. The response from the Head of Mission and the Mission's opposing view is still concerning in relation to future selection processes.

The Panel included this episode because it is significant for purposes of the Panel's independence, as it is the External Panel Members (who include by default the Presiding Member), who benefit from full independence and impartiality, and also because at the time, the Presiding Member was the only external Member.

On 23 September 2021, during the video conference between the Panel and the Head of Mission, the Panel again raised its concerns regarding the recruitment and selection of new Panel Members. The Head of Mission noted the Panel's concerns and stated that this was in no way meant as interference with the independence of the Panel, and regretted if that impression had been created.

As one External Panel Member position remains vacant it is important that upcoming selection procedures will be allowed to be performed without interference from the Mission.

For background, the Head of Mission formally appoints all Panel Members, including External Members. However, to preserve the independence of the Panel, the selections should be, and have in the past been, carried out without such involvement and interference by the Mission.

5.1.2. Presiding Member

Following the resignations from the Panel of the previous Presiding Members Dr Guénaél Mettraux and, subsequently, Ms Anna Autio, and following her appointment to the Panel, Ms Snježana Bokulić became the Acting Presiding Member of the Panel.

5.1.3. Members as of 31 December 2021

Ms Snježana Bokulić – External Member, Acting Presiding Member, appointed on 6 December 2021.

Ms Snježana Bokulić is a human rights lawyer who has worked with international governmental and non-governmental organizations for more than two decades using international human rights law to advance the respect for human rights of communities across five continents. Her specialization is in

minority rights, indigenous peoples' rights, non-discrimination and intersectionality. She has worked extensively on organizational accountability and the establishment of organizational complaints mechanisms.

As Head of OSCE/ODIHR's Human Rights Department, Ms Bokulić led ODIHR's human rights assessment missions to Ukraine and Guantanamo Naval Base, as well as the trial monitoring mission to Belarus. She spearheaded ODIHR's freedom of peaceful assembly monitoring programme and led the drafting of ODIHR Guidelines on the Protection of Human Rights Defenders. She serves as Chair of the Independent Review Panel of Accountable Now, a global membership platform aiming to advance accountability in civil society organizations, and is a member of the Board of the3million, the largest grassroots organization of EU citizens in the United Kingdom.

Ms Bokulić holds an LLM in International Human Rights Law from the University of Essex, an MA in Southeast European Studies from the Central European University, and a BA from the College of Notre Dame of Maryland.

The Head of Mission of EULEX appointed Ms Bokulić as Member of the Human Rights Review Panel on 6 December 2021.

Mr. Petko Petkov – Substitute EULEX Member, appointed on 19 December 2018.

Mr. Petko Petkov graduated from the Sofia University as a Magister of Law. He was a junior judge at the Sofia District Court from 2005 until 2007 and since 2007 is a judge at the Criminal Division at the Sofia Regional court. During his career as a criminal judge he has worked on thousands of cases and it has been a core rule in his work to always adhere to the principles of ECHR and to the European Court of Human Rights case law.

From 2014 until the end of 2015 he was appointed as an expert for a Deputy Minister of Justice of the Republic of Bulgaria. During that period he was responsible for the representation of the country before the European Court of Human Rights and had to provide methodological guidance and control over the activity of the Directorate within the Ministry. Apart from his duties related to establishing the *modus operandi* of the procedural representation before ECtHR, he was directly involved in drafting the legislative amendments related to the Judiciary.

From 2012 until 2015 he was a guest lecturer in Criminal Law and Criminal Procedures at the National Training Institute for the Judiciary where he broadened and developed his knowledge at a more theoretical and academic level.

He joined EULEX KOSOVO in 2017 as an International Criminal Judge where he worked until the end of the Executive mandate of the Mission in 2018. Currently he is a Thematic Lead Monitor for Crimes under International Law in EULEX Kosovo.

Mr. Petkov was appointed as the Substitute Member of the Human Rights Review Panel by the Head of Mission EULEX Kosovo on 19 December 2018.

Mr Alexander Fassihi – EULEX Member, appointed on 29 July 2021.

Mr Alexander Fassihi holds a Masters of Law from Uppsala University and has also studied law at the Faculty of Law, University of Toronto. He has worked as a Junior Judge at the Vanersborg District Court and as an Acting Associate Judge at the Court of Appeal for Western Sweden. Through his work as a judge in Sweden he has experience in applying the European Convention on Human Rights and the case law of the European Court of Human Rights.

Mr Fassihi joined EULEX Kosovo in 2020 and holds a position of Mobile Monitor (Justice).

Mr Fassihi was appointed as a Member of the Human Rights Review Panel by the Head of Mission of EULEX Kosovo on 29 July 2021.

5.2. The Secretariat

The Secretariat of the Panel consists of one Legal Officer and two Translator/Interpreters. The Secretariat is located in dedicated premises where its administration, records and archives are housed, independently of other EULEX Kosovo locations.

The Secretariat provides legal and administrative support, as well as language services to the Panel. The Secretariat also receives (potential) complainants, and ensures communications and correspondence between the Panel and complainants, and the Head of Mission, respectively. The Secretariat also facilitates outreach to all communities of Kosovo.

6. Operational and Administrative Matters

6.1. Budget

The Panel does not have at its disposal an independent budget, although its modest requests for expenditure are approved by the Mission on an ad-hoc basis. In 2021, this included producing and publishing two promotional videos presenting the work of the Panel (see above under 4.2.2 Informational Videos).

Prior to the expiry of the mandate on 14 June 2021, the Panel had a dedicated budget account for outreach activities. Despite submitting a written request in February 2021 for a new dedicated budget account, this request was never processed by the Mission. As such, following the extension of the mandate after 15 June 2021, the Panel has no allocated budget account. Nevertheless, the Panel has received verbal assurances that sufficient funds for new outreach activities can be made available on an ad hoc basis.

6.2. Human resources

The staffing of the Secretariat of the Panel remained stable throughout 2021.

7. Conclusions and recommendations

7.1. General considerations

The gradual revocation of public health measures imposed because of the pandemic presents an opportunity for the Panel to deliver on its mandate with renewed vigour. Even if its existing case-load has been reduced, with most of the cases currently pending at the follow-up stage, the Panel looks forward to engaging in public outreach and providing support to the Mission in upholding its human rights obligations. In this regard, the Panel hopes the Mission too will approach the implementation of the Panel's recommendations with renewed vigour now that the pandemic no longer creates obstacles.

As pointed out in this Report's Foreword, the Panel's work will only be effective if the Mission is able to work and respond promptly in a way consistent with its human rights obligations and so as to ensure that it is in a position to remedy the violations of rights committed at an earlier time in its existence.

The Panel also hopes that the Mission will find effective ways to make itself relevant and helpful to the efforts of others to investigate cases of missing persons. The Panel, for its part, will continue to follow-up with the cases before it on that subject and will relentlessly seek to provide a degree of accountability for what have been two sad, painful and disappointing decades for the surviving relatives of the disappeared.

The Panel is also intent on continuing work on its legacy as a unique accountability mechanism for an inter-governmental post-conflict peace operation. To the extent that the implementation by the Mission of the Panel's recommendations has not been entirely satisfactory, also in 2021, the Panel will continue to encourage the Mission to comply with the Panel's recommendations.

7.2. Acknowledgment of violations of human rights by EULEX

As stated in previous reports, the Panel once again recommends that the Head of Mission should consider acknowledging violations of human rights which the Panel has found to be attributable to EULEX. Such a public acknowledgment by the Mission would be an essential part of its human rights obligations under Council Joint Action 2008/124/CFSP and would go some way towards remedying the violations identified by the Panel.

Based on the above, the Panel once again invites the Head of Mission, in consultation with relevant Kosovo authorities, to consider seriously the importance and implications of acknowledging systematically the Mission's responsibilities in cases of human rights violations, and to consider a change of practice in this regard.

7.3. Reparation programme

The payment of compensation or reparation to complainants and concerned family members is a constant theme in the public domain in the event of human rights violations by EULEX Kosovo. The fact that the complaint is vindicated with a finding of a human rights violation might not represent a full or adequate remedy for the violations in question.

It is therefore recommended that where it is found to have committed human rights violations, the Mission should give serious consideration to the possibility of offering adequate reparation, including financial compensation where appropriate.

This suggestion has already been made by the Panel in its 2018 Annual Report and reiterated in its 2019 and 2020 Annual Reports. The Panel notes with regret that its suggestion remains unfulfilled.

In effect, the findings and recommendations of the Panel constitute the only form of relief in cases involving violations of human rights attributable to the Mission together with the Head of Mission's implementation of those recommendations. In cases of human rights violations of some gravity, such as cases of enforced disappearance (see next), such relief can be said to be entirely inadequate.

The Panel therefore invites the Head of Mission to carefully consider other ways in which the Mission could remedy the violation of the rights of those whom the Panel has said were affected by its

conduct. It is critical that such a reflection should take place whilst the Mission is still active so that its closure cannot serve as a *fait accompli* that would signal to the victims that the violation of their rights will remain without remedy.

7.4. Enforced Disappearance Cases

Cases of enforced disappearance make up the majority of the Panel's pending cases. Each of these cases contains individual features that reflect the specific circumstances of the case. However, these cases also reflect systemic problems that have affected the Mission in the past.

In particular, these complaints suggest that the Mission failed to prioritise cases that should have received significant attention from the Mission given its mandate. The gravity of the acts, the consequences of these upon the rights of the disappeared and their surviving relatives as well as the societal relevance of these cases in a post-conflict context were all factors that demanded the Mission's attention and made the effective investigation of the cases paramount.

Unfortunately, many and perhaps most of these cases remained un-investigated or inadequately investigated. Surviving relatives were in many instances not contacted by the Mission or provided inadequate information as regards the status of the case, if one even existed.

Files pertaining to these cases were kept in various locations, not always shared between different organs of the Mission and were often closed before a proper investigation had been conducted. Coordination with other relevant international actors appears also to have been inadequate in some instances.

This is particularly regrettable in the case of a Mission established to promote the rule of law and committed to upholding human rights.

Unless they are properly addressed, these shortcomings are likely to stain the reputation and legacy of the Mission.

The Panel therefore calls upon the Head of Mission, the Mission itself, EU Member States and contributing third states, as well as other relevant stakeholders, to work together towards finding a solution to the continued violation of human rights in the enforced disappearances cases. These cases should not and cannot be allowed to remain un-investigated. They are important, not just for surviving relatives, but to Kosovo itself, which must face the past, however painful.

The Panel was pleased to learn that the Head of Mission is of the opinion that more progress is required on the issue of missing persons. He affirmed that relatives are entitled to know what happened and that this is their fundamental human right. He acknowledged that authorities everywhere have an international and legal obligation to do all they can.² The Panel would like to remind the Head of Mission that this includes EULEX.

The Panel will remain fully committed for the remainder of its mandate to play its part in trying to find a solution to the current situation and to seek to address the violations of fundamental human rights that are associated with this ongoing situation.

² https://eeas.europa.eu/headquarters/headquarters-homepage/110492/fieldvision-kosovo-healing-scars-war-daily-task_en

7.5. The Mission and human rights

In addition to the specific issues mentioned in this section, the Panel invites the Mission to reflect on the ways in which it could ensure that the remainder of its mandate is conducted in a manner consistent with its human rights obligations. It also invites the Mission to reflect on how it could help promote a culture of respect for the rule of law and human rights in Kosovo so that its legacy is perceived from that point of view as a positive one. The Panel remains committed to assist in such a process.

ANNEX 1 Statistics 2010 - 2021

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Registered cases in total	16	28	23	27	42	16	35	7	4	2	1	1	202
Finalized cases in total	6	30	10	20	28	27	19	25	6	4	2	1	178
Admissible	0	7	2	7	2	21	2	2	0	10	5	6	64
Inadmissible	6	22	10	13	21	12	9	23	6	3	2	0	127
Violation	0	2	0	7	2	4	9	2	0	4	8	9	51
No violation	0	5	0	0	1	10	0	0	0	0	0	0	16
Strike out	0	1	0	0	3	1	1	2	0	0	0	0	8

	As of 31 December 2021
Pending	24
Communicated to HoM	23

ANNEX 2 Table of Violations and Follow-Up Decisions – 31 December 2021

	Case	Admissibility	Findings	Follow up	Second	Third & More	Status
1	2010-01	8 APR 2011	8 APR 2011	23 NOV 2011			Closed
2	2010-07	8 JUN 2011	8 JUN 2011	23 NOV 2011			Closed
3	2011-07	5 OCT 2012	10 APR 2013	26 NOV 2013	26 AUG 2014		Closed
4	2011-20	5 OCT 2012	22 APR 2015	11 NOV 2015	10 JAN 2017	27 MAR 2019; 11 DEC 2019	Pending
5	2011-27	13 JUN 2017	5 DEC 2017	19 JUN 2019			Closed
6	2012-09 et al	10 APR 2013	20 JUN 2013	5 FEB 2014			Closed
7	2012-14	7 JUN 2013	4 FEB 2014	11 NOV 2014			Closed
8	2012-19 & 20	<i>see 2012-09</i>	30 SEP 2013	27 MAY 2014			Closed
9	2012-22	---	11 NOV 2015	29 FEB 2016			Closed
10	2013-03	1 JUL 2014	12 NOV 2014	11 NOV 2015			Closed
11	2013-21	11 JAN 2017	11 JAN 2017	13 JUN 2017			Closed
12	2014-11 et al	30 SEP 2015	19 OCT 2016	7 MAR 2017			Closed
13	2014-18	12 NOV 2015	12 NOV 2015	11 JAN 2017			Closed
14	2014-32	11 NOV 2015	11 NOV 2015	19 OCT 2016	7 MAR 2017		Closed
15	2014-34	29 SEP 2015	19 OCT 2016	7 MAR 2017			Closed
16	2014-37	19 OCT 2016	19 OCT 2016	10 JAN 2017			Closed
17	2016-09	19 JUN 2019	11 DEC 2019	29 APR 2021			Pending
18	2016-10	19 JUN 2019	13 FEB 2020	29 APR 2021			Pending
19	2016-11	11 SEP 2019	11 DEC 2020				Pending
20	2016-12	11 SEP 2019	12 FEB 2020				Pending
21	2016-13	11 SEP 2019	12 FEB 2020	12 FEB 2021			Pending
22	2016-14	19 JUN 2019	11 DEC 2019	12 FEB 2021			Pending
23	2016-15	11 SEP 2019	26 MAR 2021				Pending
24	2016-16	12 FEB 2020	29 JUN 2021				Pending
25	2016-17	11 DEC 2019	4 JUN 2020	11 DEC 2020			Pending
26	2016-19	29 JUN 2021	29 JUN 2021				Pending
27	2016-20	26 MAR 2021	26 MAR 2021				Pending
28	2016-21	26 MAR 2021	26 MAR 2021				Pending
29	2016-22	11 DEC 2020	29 JUN 2021				Pending
30	2016-23	4 JUN 2020	11 DEC 2020				Pending
31	2016-24	11 DEC 2020	11 DEC 2020				Pending
32	2016-28	28 MAR 2019	11 SEP 2019	11 DEC 2020			Pending
33	2016-30	26 MAR 2021	26 MAR 2021				Pending
34	2016-32	29 JUN 2021	29 JUN 2021				Pending
35	2017-02	27 MAR 2019	19 JUN 2019	11 DEC 2019			Pending
36	2018-01	16 SEP 2021	16 SEP 2021				Pending
37	2019-01	4 JUN 2020	11 DEC 2020	29 APR 2021	16 SEP 2021		Closed

ANNEX 3 Decisions of the Panel 2010-2020

Case	Complainant	Subject matter	Result
2010-01	Djeljalj Kazagić	Alleged failure to act by EULEX Prosecutor, property matter	Violation
2010-02	Sadik Thaqi	Alleged failure to act by EULEX Prosecutor, death in Dubrava Prison 04/09/2003	No violation
2010-03	Osman Mehmetaj	Alleged failure to act by EULEX Prosecutor, death in Dubrava Prison 04/09/2003	No violation
2010-04	Feti Demolli	Alleged failure to act by EULEX Prosecutor, death in Dubrava Prison 04/09/2003	No violation
2010-05	Mursel Hasani	Alleged failure to act by EULEX Prosecutor, death in Dubrava Prison 04/09/2003	No violation
2010-06	Latif Fanaj	Alleged failure to act by EULEX Prosecutor, death in Dubrava Prison 04/09/2003	No violation
2010-07	Blerim Rudi	Alleged failure of the Financial Intelligence Unit to comply with the order of the Independent Oversight Board to reinstate the complainant.	Violation
2010-08	Delimir Krstić	Alleged failure to act by EULEX police and prosecutor, property matter	Inadmissible
2010-09	Burim Ramadani	Alleged non-functioning of the court system, Kitchina-case	Inadmissible
2010-10	Horst Proetel	Unsuccessful candidature for a EULEX position	Inadmissible
2010-11	Laura Rudi	Private financial claim against a EULEX employee	Inadmissible
2010-12	Hunaida Pasuli	Unsuccessful candidature for a EULEX position	Inadmissible
2010-13	An EULEX- Employee	Internal EULEX dispute with regard to performance appraisal and personal relationship with supervisor	Inadmissible
2010-14	Lulzim Gashi	Unsuccessful candidature for a EULEX position	Inadmissible
2010-15	Faton Sefa	Failure to get reinstated to previous employment (private sector), alleged failure to implement court rulings	Inadmissible

Case	Complainant	Subject matter	Result
2010-16	Cyma Agovic	Transferred from EULEX - Failure of the EULEX judges to fairly examine the complainant's case	Inadmissible
2011-01	Family of Dede Gecaj	Request for investigation of the extradition decision of EULEX Courts in Kosovo in the case of the late Dede Gecaj	Inadmissible
2011-02	Chamalagai Krishna Bahadur	Alleged Failure to Act	Inadmissible
2011-03	Afrim Mustafa	Dispute with regard to closing down a private radio station and confiscation of radio equipment	Inadmissible
2011-04	Besim Berisha	Complaint about living conditions in Dubrava Prison	Strike out
2011-05	SH.P.K "Syri"	Alleged denial of the right to a fair hearing, freedom of expression and equality before the law, SCSC.	Inadmissible
2011-06	Milazim Blakqori	Alleged non-enforcement of a decision, failure to act by EULEX	Inadmissible
2011-07	Case W	Alleged violation of Article 6 Convention	Violation
2011-08	Anton Rruka	Alleged denial of the right to a fair hearing, freedom of expression and equality before the law, SCSC.	Inadmissible
2011-09	Mirkovic Bojan	Alleged unlawful dismissal from EULEX	Inadmissible
2011-10	Dejan Jovanović	Alleged undue delay in the proceedings before the SCSC.	Inadmissible
2011-11	Srecko Martinović	Alleged excessive use of force, inhumane treatment and denial of right to a fair trial	Inadmissible
2011-12	Novica Trajković	Alleged excessive use of force	Inadmissible
2011-13	S.M.	Alleged excessive use of force, denial of right to a fair trial and failure to respect the right to private life	Inadmissible
2011-14	Lindita Shabani	Alleged denial of the right to private and family life	Inadmissible
2011-15	Samedin Smajli	Alleged denial of a fair trial and undue delay in proceedings	Inadmissible
2011-16	Avdyl Smajli	Alleged denial of a fair trial and undue delay in proceedings	Inadmissible
2011-17	Faik Azemi	Alleged denial of the right to a fair hearing	Inadmissible
2011-18	Mykereme Hoxha	Alleged failure to act by EULEX Prosecutor	Inadmissible
2011-19	Sefer Sharku	Alleged failure to respect a binding court-decision.	Inadmissible

Case	Complainant	Subject matter	Result
2011-20	X and 115 other complainants	Alleged failure by EULEX to protect the health and life of persons living in the lead contaminated Roma camps.	Violation
2011-21	Ventor Maznikolli	Alleged undue delay by EULEX judges in scheduling a Supreme Court hearing.	Inadmissible
2011-22	Hysni Gashi	Alleged denial of a fair trial and alleged incompetence of EULEX judges.	Inadmissible
2011-23	Hashim Rexhepi	Alleged violations of the right to liberty and the right to a fair trial.	Inadmissible
2011-24	Predrag Lazić	Alleged failure to get a fair hearing in a reasonable time.	Inadmissible
2011-25	Shaip Gashi	Alleged deprivation of German disability pension.	Inadmissible
2011-26	Njazi Asllani	Alleged non-enforcement of a decision, failure to act by EULEX	Inadmissible
2011-28	Case Y	Alleged breach of the right to respect private and family life.	Inadmissible
2012-01	Qamil Hamiti	Alleged denial of the right to a fair hearing	Inadmissible
2012-02	Arben Zeka	Alleged failure to adjudicate property case	Inadmissible
2012-03	Rexhep Dobruna	Alleged denial of the right to a fair hearing.	Inadmissible
2012-04	Izet Maxhera	Property related dispute with EULEX in Mitrovica.	Inadmissible
2012-05	Fatmir Pajaziti	Alleged breach of right to liberty and right to a fair trial.	Inadmissible
2012-06	Case Z	Alleged violations of Articles 10 and 11 UDHR, Articles 5 and 6 Convention, Article 9 ICCPR and Article 6 CAT	Inadmissible
2012-07	Case I	Alleged failure to act by EULEX Prosecutor and EULEX Police	Inadmissible
2012-08	Case U	Alleged violation of Article 6 of the European Convention on Human Rights (Convention)	Inadmissible
2012-09	Case A	Alleged violations of Articles 2, 3, 8, 9, 10 and 11 Convention	Violation
2012-10	Case B	Alleged violations of Articles 2, 3, 8, 9, 10 and 11 Convention	Violation
2012-11	Case C	Alleged violations of Articles 2, 3, 8, 9, 10 and 11 Convention	Violation
2012-12	Case D	Alleged violations of Articles 2, 3, 8, 9, 10 and 11 Convention	Violation

Case	Complainant	Subject matter	Result
2012-13	Bejtush Gashi	Alleged violations of Article 6 Convention and Article 1 of Protocol 1 Convention	Inadmissible
2012-14	Valbone Zahiti	Alleged violation of Article 8 Convention	Violation
2012-15	Shefqet Emerllahu	Alleged violation of Article 6 Convention, failure to investigate	Inadmissible
2012-16	Kristian Kahrs	Alleged violation of Article 6 Convention, failure to act	Inadmissible
2012-17	Case E	Alleged violations of Articles 5 and 6 of Convention	Inadmissible
2012-18	Hamdi Sogojeva	Alleged violation of Article 1 of Protocol 1 of the Convention	Inadmissible
2012-19	Case H	Alleged confiscation of property	Violation
2012-20	Case G	Alleged violations of Articles 3, 10, 11 Convention and Article 1 of Protocol 1 Convention	Violation
2012-21	Mirko Krlić	Alleged violations of Article 9 Convention and Article 2 of Protocol 4 Convention	No violation
2012-22	Zoran Stanisić	Alleged violations of Articles 3, 6 and 8 Convention and Article 1 of Protocol 1 Convention	Violation
2012-23	Predrag Blagić	Alleged violations of Article 5 Convention and Article 2 of Protocol 4 Convention	Strike out
2013-01	Case I	Alleged violation of Article 6 Convention	Inadmissible
2013-02	Arsim Krasniqi	Alleged violation of Article 3 Convention	Inadmissible
2013-03	Goran Becić	Alleged violations of Articles 13 and 14 Convention and Article 1 of Protocol 1 Convention	Violation
2013-04	J	Alleged violation of Article 6 Convention (access to justice).	Inadmissible
2013-05	Case K	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-06	Case L	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-07	Case M	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-08	Case N	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-09	Case O	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-10	Case P	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation

Case	Complainant	Subject matter	Result
2013-11	Case Q	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-12	Case R	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-13	Case S	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-14	Case T	Alleged violations of Article 3, 5, 13 and 14 Convention	No violation
2013-15	Gani Zeka	Alleged violations of Article 6 and Article 1 of Protocol No 1 of Convention	Inadmissible
2013-16	Almir Susaj	Alleged violation of Article 3 and 8 Convention	Inadmissible
2013-17	Ramadan Rahmani	Alleged violation of Article 1 Protocol 1 Convention	Inadmissible
2013-18	Jovanka, Dragan, Milan Vuković	Alleged violation of Article 1 Protocol 1 Convention	Inadmissible
2013-19	U	Alleged violation of Article 1 Protocol 1 Convention	Inadmissible
2013-20	Shaip Gashi	Alleged violations of Article 1 of Protocol 1 Convention	Inadmissible
2013-22	Gani Gashi	Alleged violation of Article 6 Convention	Inadmissible
2013-23	V	Alleged violations of Article 6 and Article 1 of Protocol 1 of Convention	Inadmissible
2013-24	Emin Maxhuni	Alleged violation of Article 1 of Protocol 1 of Convention	Inadmissible
2013-25	Milorad Rajović	Alleged violation of Article 1 of Protocol 1 Convention	Inadmissible
2013-26	Selami Taraku	Alleged violation of Article 1 of Protocol 1 Convention	Inadmissible
2013-27	Shaban Kadriu	Alleged violations of Article 6 and Article 1 of Protocol No 1 Convention	Inadmissible
2014-01	Nexhat Qubreli	Alleged violations of Article 5 and Article 6 Convention	Inadmissible
2014-02	Milica Radunović	Alleged violation of Article 6 Convention	Inadmissible
2014-03	Case A.Z.	Alleged violation of Articles 3, 8 and 13 Convention	Strike out
2014-04	Tomë Krasniqi	Alleged violation of Article 1, 3, 6, 14 and 17 Convention, Article 1 of Protocol No 1 Convention	Inadmissible
2014-05	Mazlam Ibrahimi	Alleged violations of Article 6 and Article 1 of Protocol 1 of Convention	Inadmissible
2014-06	Case B.Y.	Alleged violation of Article 6 Convention	Inadmissible

Case	Complainant	Subject matter	Result
2014-07	Fitore Rastelica	Alleged violation of Article 6 Convention	Inadmissible
2014-08	C.X.	Alleged violation of Article 6 Convention	Inadmissible
2014-09	Rifat Kadribasic	Alleged violations of Article 6 and Article 1 of Protocol 1 of Convention	Inadmissible
2014-11	Case D.W.	Alleged violation of Articles 2 and 3 Convention	Admissible
2014-18	Fitim Maksutaj	Alleged violation of Article 6 Convention	Violation
2014-19	Fahri Rexhepi	Alleged violations of Article 6 and Article 1 of Protocol No 1 Convention	Inadmissible
2014-20	Mensur Fezaj	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-21	Shefki Hyseni	Alleged violation of Article 5 Convention	Strike out
2014-22	Ismajl Krapic	Alleged violation of Article 6 Convention	Inadmissible
2014-23	Shaip Selmani	Alleged violation of Article 6 Convention	Inadmissible
2014-24	Case J.Q.	Alleged violation of Article 6 Convention	Inadmissible
2014-25	Nuha Beka	Employment Dispute	Inadmissible
2014-28	Selatin Fazliu	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-26	Ajet Kaciu	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-27	Qerim Begolli	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-29	Shemsi Musa	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-30	Abdilj Sabani	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2014-31	Case K.P.	Alleged violation of Article 6 Convention	Inadmissible
2014-32	L.O.	Alleged violation of Articles 2 and 3 Convention	Violation
2014-33	Arben Krasniqi	Alleged violation of Articles 5 and 6 Convention	Inadmissible
2014-34	Rejhane Sadiku Sylja	Alleged violation of Articles 2 and 3 Convention	Admissible
2014-36	Case Z.A.	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible

Case	Complainant	Subject matter	Result
2014-38	Slavica Mikic	Alleged violation of Article 13 Convention	Inadmissible
2014-39	Musli Hyseni	Alleged violation of Article 5 Convention	Strike out
2014-40	Avni Hajdari	Alleged violation of Article 6 Convention	Strike out
2014-41	Liridona Mustafa Sadiku	Alleged violation of Articles 2 and 3 Convention	Inadmissible
2014-42	Bujar Zherka	Alleged violations of Article 6 and Article 1 of Protocol No 1 Convention	Inadmissible
2015-01	Milos Jokic	Alleged violations of Article 5, 6, 8, 9, 10 and 12 of Convention	Inadmissible
2015-03	Dekart Shkololli	Alleged violation of Article 8 Convention	Inadmissible
2015-07	Dobriboje Radovanovic	Alleged violation of Article 6, and Article 1, Protocol No.1 Convention	Inadmissible
2015-08	Afrim Berisha	Alleged violation of Article 1 of Protocol No 1 Convention	Inadmissible
2015-09	Driton Hajdari	Alleged violation of Article 6, and Article 1, Protocol No.1 Convention	Inadmissible
2015-10	Shaban Sylja	Alleged violation of Article 6 Convention	Inadmissible
2015-13	Case W.D.	Alleged violation of Articles 6 and 8 Convention	Inadmissible
2016-03	Afrim Islami	Alleged violation of Article 6, and Article 1, Protocol No.1 Convention	Inadmissible
2015-04	Nazmi Maloku	Alleged violation of Article 6 ECHR	Inadmissible
2014-10	Nikole Sokoli	Alleged violation of Articles 2, 3 and 13 ECHR	Inadmissible
2016-04	Valon Jashari	Alleged violation of Articles 3, 6 and 8 ECHR	Inadmissible
2016-02	V.E.	Alleged violation of Article 6 ECHR	Inadmissible
2016-01	Skender Jashari	Alleged violation of Article 6 ECHR	Inadmissible
2015-15	Đorđe Šmigić	Alleged violation of Articles 2, 3, 8 and Article 2 of Protocol no. 4 ECHR	Inadmissible
2015-12	U	Alleged violation of Articles 6, 13 and 14 of ECHR	Inadmissible
2015-11	Zvonimir Jovanović	Alleged violation of Article 6, and Article 1, Protocol No.1 ECHR	Inadmissible

Case	Complainant	Subject matter	Result
2015-06	X.C.	Alleged violation of Article 6 ECHR	Inadmissible
2015-05	Teresa Peters	Alleged violation of Article 6 ECHR	Inadmissible
2014-35	M.N.	Alleged violation of Article 6 ECHR	Inadmissible
2015-14	Miodrag Konić	Alleged violation of Articles 2, 3, 8 and Article 2 of Protocol no. 4 of ECHR	Strike out
2015-16	Vuleta Vošić	Alleged violation of Articles 2, 3, 8 and Article 2 of Protocol no. 4 of ECHR	Strike out
2015-02	Ramadan Hamza	Alleged violation of Article 1 of Protocol No 1 ECHR	Inadmissible
2017-03	Alfred Bobaj	Alleged violation of Article 6 of ECHR	Inadmissible
2016-36	Namon Statovci	Alleged violation of Article 1 of Protocol no. 1 and Article 9 and 11 of ECHR	Inadmissible
2016-33	Agron Bytyci	Alleged violation of Article 6 ECHR	Inadmissible
2016-27	Afrim Islami	Alleged violation of Article 6 ECHR	Inadmissible
2016-26	T.G.	Alleged violation of Article 8 ECHR	Inadmissible
2016-25	Hilmi Krasniqi	Alleged violation of Article 6 ECHR	Inadmissible
2016-08	Hamdi Hasani	Alleged violation of Article 8, and Article 1, Protocol No.1 ECHR	Inadmissible
2016-07	Mentor Qela	Alleged violation of Article 3, 6 and 17 of ECHR	Inadmissible
2016-06 /2017-04	Shpresim Uka	Alleged violation of Article 6 ECHR	Inadmissible
2016-05	Axhemi Zyhdi	Alleged violation of Article 6, Article 13, and Article 1 of Protocol 1 ECHR	Inadmissible
2013-21	Thomas Rusche	Alleged violations of Article 6 and Article 1 of Protocol No 1 ECHR	Violation
2011-27	F. and Others	Alleged failure to protect a witness, the right to life	Violation
2016-34	R.I. against EULEX	Alleged violation of Article 1 of Protocol No. 1 ECHR	Inadmissible
2016-35	Ndërmarrja Hoteliere Turistike Iliria Deçan against EULEX	Alleged violation of Article 6 ECHR	Inadmissible
2017-01	A.Z. against EULEX	Alleged violation of Articles 3, 6, 9 and 14 ECHR	Inadmissible
2017-05	Hysni Gash against EULEX	Alleged violation of Article 6 ECHR	Inadmissible

Case	Complainant	Subject matter	Result
2017-06	Feriz Gashi against EULEX	Alleged violation of Article 6 ECHR	Inadmissible
2017-07	C.X against EULEX	Alleged violation of Article 6 ECHR	Inadmissible
2011-20	X. and 115 Others against EULEX	Alleged failure by EULEX to protect the health and life of persons living in the lead contaminated Roma camps.	Third and Fourth Follow-up
2011-27	F. and Others against EULEX	Alleged violation of Article 2 ECHR	Follow-up
2018-02	D.W. against EULEX	Alleged violation of Article 2 ECHR	Inadmissible
2018-04	Afrim Islami against EULEX	Alleged violation of Article 6 ECHR	Inadmissible
2018-03	E.V. against EULEX	Alleged violation of Article 1 Protocol No 1 ECHR	Inadmissible
2017-02	Zufe Miladinović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible, Violation and Follow-up
2016-28	S.H. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-09	Milorad Trifunović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-14	Milan Ađančić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-10	Dragiša Kostić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-11	Anđelija Brakus against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-12	U.F. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-13	Miomir Krivokapić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-15	Dragan Janačković against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-17	Milijana Avramović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-10	Dragiša Kostić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-11	Petar Brakus against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-12	U.F. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-13	Miomir Krivokapić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-16	Dobrivoje Vukmirović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-17	Milijana Avramović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation and Follow-up

Case	Complainant	Subject matter	Result
2016-18	P.K. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Inadmissible
2016-22	Radmila Sapić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible
2016-23	Q.J. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-24	Vesko Kandić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-28	S.H. against EULEX	Alleged violation of Articles 2 and 3 ECHR	Revision rejected and Follow-up
2019-01	G.T. against EULEX	Alleged violation of Article 3 ECHR	Admissible and Violation
2020-01	Reihan Kaja against EULEX	Alleged violation of Articles 9 and 14 ECHR	Inadmissible
Decisions 2021			
2016-09	Milorad Trifunović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Follow-up
2016-10	Dragiša Kostić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Follow-up
2016-13	Miomir Krivokapić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Follow-up
2016-14	Milan Ađančić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Follow-up
2016-15	Dragan Janačković against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-16	Dobrivoje Vukmirović against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-19	Dušan Milosavljević against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-20	Dragica Čerimi against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-21	Milanka Čitlučanin against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-22	Radmila Sapić against EULEX	Alleged violation of Articles 2 and 3 ECHR	Violation
2016-30	Svetlana Đorđević against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2016-32	Biljana Đorđević against EULEX	Alleged violation of Articles 2 and 3 ECHR	Admissible and Violation
2018-01	Y.B. 2 against EULEX	Alleged violation of Articles 6 and 8 ECHR	Admissible and Violation
2019-01	G.T. against EULEX	Alleged violation of Article 3 ECHR	First and Second Follow-up