



Human Rights Review Panel

Human Rights Review Panel

European Union Rule of Law Mission

Kosovo

Annual Report 2019

1 January to 31 December 2019

Human Rights Review Panel - Secretariat

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Foreword

This is the tenth Annual Report of the Human Rights Review Panel (hereinafter, “the Panel” or “HRRP”), which covers the period from 1 January 2019 to 31 December 2019. 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 sessions and adopted a total of twenty-one (21) Decisions in sixteen (16) cases.

A new and revised mandate for EULEX Kosovo was adopted by Council Decision CFSP 2018/856 of 8 June 2018. It entered into force on 15 June 2018. Under this new mandate, EULEX Kosovo conducts systemic, thematic and *ad hoc* monitoring. It provides its assessments and findings to Kosovo institutions and keeps other relevant EU actors informed about these activities. It also maintains a small number of executive competencies in witness protection, criminal intelligence and the maintenance of public order as second responder to the Kosovo police.

The change in the mandate of EULEX Kosovo, which greatly reduced the scope of its executive responsibilities, affected the work of the Human Rights Review Panel. As a consequence and to account for relevant changes in the Mission, on 15 January 2019, the Panel amended its Rules of Procedure to account for the change in the Mission’s mandate and its effect upon the composition of the Panel. The Rules of Procedure of the Panel were amended again on 11 December 2019 in response to an issue arising in one case.

During the year, there were also changes in the composition of the Panel. On 13 December 2018, Ms Magda Mierzewska resigned her position as a Panel Member. An international recruitment and selection process was opened by the Mission to identify a replacement. On 26 June 2019, Ms Anna Autio from Finland was appointed by the Head of Mission. With the Panel now complete, on 11 September 2019, Mr Guénaël Mettraux was formally elected to be its Presiding Member.

Regrettably, the process of replacement of Panel members and the change in the Mission’s mandate caused delays in the processing of cases before the Panel and affected the number of cases dealt with during that period.

In 2019, two (2) new complaints were registered and four (4) cases were finalized, of which three (3) were declared inadmissible. The fourth case that was finalized concerned the assessment of the implementation of the Panel’s recommendations to the Head of Mission, after which it was decided to close the examination of the case.

As of 31 December 2019, the pending case-load stood at twenty-five cases. Of these, five (5) cases where a violation had been found remain open and subject to assessment of the implementation of the Panel’s recommendations by the Head of Mission.

Of the twenty-five (25) pending cases, twenty-one (21) 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, responses from the Head of Mission have been submitted in fourteen (14) of these cases. At the end of the year, that left a further seven (7) cases of enforced disappearances still awaiting a first response from the Head

of Mission. The process later accelerated and submissions were made and continue to be made in the remaining cases following extensive review of its records by the Mission.

The Panel expects that many of the pending cases will be dealt with over the course of 2020 and early 2021.

Cases of enforced disappearance will constitute the bulk of our caseload. The Panel is most concerned that cases that date back to the late 1990s remain, in many cases, entirely un-investigated. Because of new limitations set upon its mandate, the Mission cannot start investigating these cases. Nor is there much that it can do to prompt others to do so. There is therefore a real risk that violations of human rights of extreme gravity could remain un-investigated and victims will remain without truth, justice and an effective remedy. The Panel calls upon relevant political authorities, including the Mission itself, Member States, contributing states and local authorities, to consider this matter most carefully with a view to ensuring that the cases are investigated and that victims of human rights violations are able to obtain adequate redress.

As it did in its 2018 Annual Report, the Panel would also invite the Mission to consider the need for the establishment of a system of reparation for individuals whose rights have been found to have been violated by the Mission. It is indeed important that the violation of their rights should not merely be acknowledged by the Panel but that the Mission should endeavour to repair the harm done to them as a consequence of those violations.

Guénaël Mettraux
Presiding Member
Human Rights Review Panel

Table of Contents

Foreword.....	2
1. Regulatory Framework	5
1.1. Council Decision CFSP 2018/856 of 8 June 2018	5
1.2. Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission EULEX Kosovo.....	5
1.3. Accountability Concept EULEX Kosovo – Human Rights Review Panel, General Secretariat of the Council, Brussels of 29 October 2009	5
1.4. Applicable International Human Rights Instruments.....	6
1.5. Rules of Procedure.....	6
2. Caseload and subject matter of complaints.....	6
2.1. Caseload and statistics.....	6
2.2. Subject matter of complaints.....	7
2.3. Sessions of the Panel	8
3. Jurisprudence	8
3.1. Introduction	8
3.2. Decisions on Merits.....	8
3.3. Decisions on Admissibility.....	10
3.4. Decisions on Follow-up	11
4. Other activities of the Panel.....	13
4.1. Meetings	13
4.2. Public Outreach Campaign 2019.....	13
4.3. Induction training.....	14
4.4. HRRP online.....	14
5. The Panel and the Secretariat	14
5.1. Members of the Panel	14
5.1.1. Presiding Member.....	15
5.1.2. Members as of 31 December 2019.....	15
5.2. The Secretariat.....	17
6. Operational and Administrative Matters	17
6.1. Budget.....	17
6.2. Human resources	17
7. Conclusions and recommendations	17
7.1. Acknowledgment of violations of human rights by EULEX.....	17
7.2. Reparation programme.....	17
7.3. Enforced Disappearance Cases	18
7.4. End of Mission and human rights	19
ANNEX 1 Statistics 2010 - 2019	20

1. Regulatory Framework

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

In its current mandate as amended by Council Decision CFSP 2018/856, EULEX Kosovo 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. 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 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.

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 on 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 and its Protocols. A number of complaints have also made reference to the Universal Declaration on 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.

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>.

2. Caseload and subject matter of complaints

2.1. Caseload and statistics

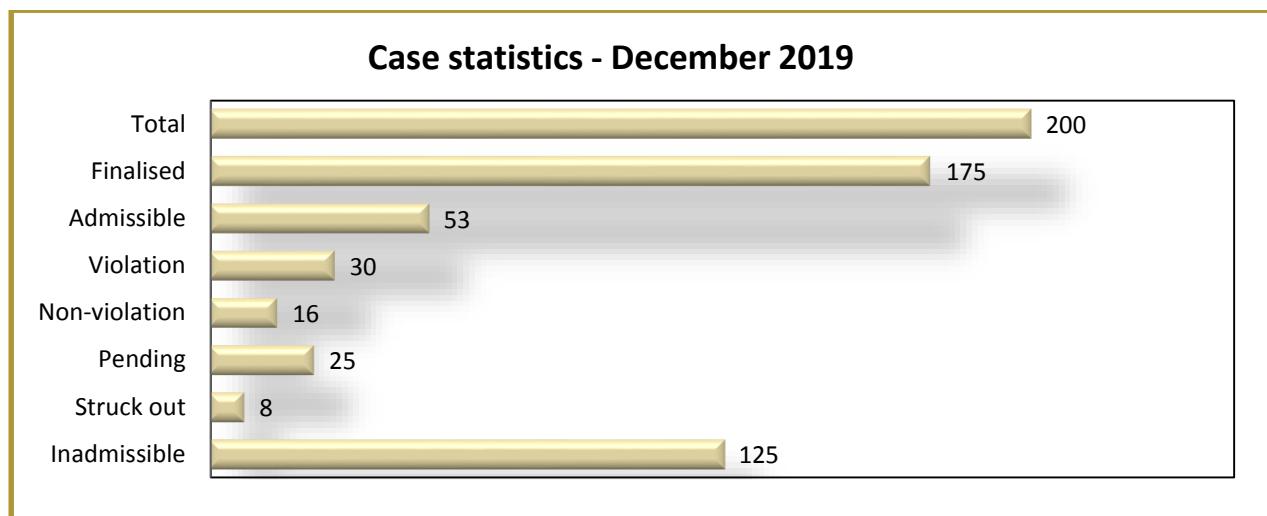
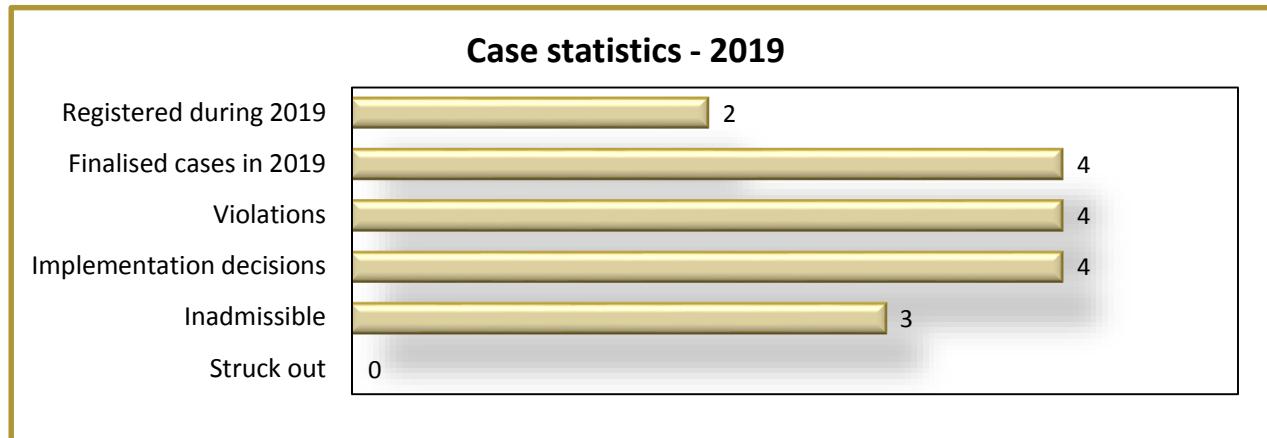
The Panel received two (2) new complaints in 2019.

The Panel finalised four (4) cases and found that three (3) of these were inadmissible, while the fourth case was followed up and closed.

The Panel declared ten (10) cases to be admissible and found that the Mission had violated the human rights of complainants in four (4) cases.

A further three (3) follow-up decisions were adopted in two (2) cases, where the Panel continues to assess the implementation of its recommendations.

The pending caseload on 31 December 2019 stood at twenty-five (25) cases.



2.2. Subject matter of complaints

The complaints which were examined by the Panel in 2019 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 on Human Rights and Fundamental Freedoms.

A number of complaints introduced in 2018 concerned the monitoring mandate of the Mission, as a result of the change in the mandate of EULEX Kosovo.

2.3. Sessions of the Panel

During 2019, the Human Rights Review Panel held five sessions.

- 39th Session: 14, 15 and 16 January 2019;
- 40th Session: 27, 28 and 29 March 2019;
- 41st Session: 19 and 20 June 2019;
- 42nd Session: 10, 11 and 12 September 2019; and
- 43rd session: 11, 12 and 13 December 2019.

3. Jurisprudence

3.1. Introduction

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

In so doing, the Panel relied extensively on the European Convention on Human Rights and Fundamental Freedoms (ECHR), the jurisprudence of the European Court of Human Rights (ECtHR), but also drew lessons from other instruments, including the Geneva Conventions of 1949, the Inter-American Convention of Human Rights (and associated caselaw), the Rome Statute of the International Criminal Court, the jurisprudence of the United Nations Human Rights Review Panelits own case law as well as the applicable law in Kosovo in its review of its complaints during the reporting period.

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 four (4) decisions on merits in the course of 2019.

Panel session of 19-20 June 2019

- Case 2017-02 Zufe Miladinović against EULEX. On 19 June 2019, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant’s close relative and had failed to keep the complainant informed in violation of the complainant’s fundamental rights. 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 a number of recommendations to the Head of Mission of EULEX, including to urge competent authorities to ensure that the criminal investigation into the disappearance of the complainant’s family member is continued in compliance with Articles 2 and 3 of the European Convention on Human Rights.

Panel Session of 10-12 September 2019

- Case 2016-28 S.H. against EULEX. On 11 September 2019, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close relative and had failed to keep the complainant informed in violation of the complainant's fundamental rights. The prosecution and trial against a number of suspects, in which the complainant's family member was listed as a victim of torture and murder, was not successful. The Panel found that the acquittal of those initially charged with the disappearance of the individual in question did not absolve the Mission of its legal obligation to provide an effective investigation sufficient to elucidate the circumstances surrounding the victim's disappearance and subsequent death. 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 a number of 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 emphasise with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation.

Panel session of 11-13 December 2019

- Case 2016-09 Milorad Trifunović against EULEX. On 11 December 2019, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close relative and had failed to keep the complainant informed in violation of the complainant's fundamental rights. 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 a number of 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 emphasise with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation.
- Case 2016-14 Milan Adančić against EULEX. On 11 December 2019, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's close relative and had failed to keep the complainant informed in violation of the complainant's fundamental rights. 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 a number of 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 emphasise with authorities the importance of victim's rights to the truth and to be informed of the general course of the investigation.

3.3. Decisions on Admissibility

The Panel rendered thirteen (13) decisions on admissibility in 2019.

Panel session of 14-16 January 2019

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

- Case 2018-02 D.W. against EULEX. The complaint related to allegations against the Kosovo Intelligence Agency. The Panel declared this complaint inadmissible because the events complained of were not attributable to EULEX in the conduct of its executive mandate, and therefore did not come within the scope of the Panel's jurisdiction.

Panel session of 27-29 March 2019

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

- Case 2018-04 Afrim Islami against EULEX. The complaint concerned a request for EULEX to monitor the criminal case against the complainant. The Panel declared this complaint inadmissible as manifestly ill-founded.

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

- Case 2016-28 S.H. against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.
- Case 2017-02 Zufe Miladinović against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.

Panel session of 19-20 June 2019

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

- Case 2018-03 E.V. against EULEX. The complaint concerned the recovery of family property following the conflict in Kosovo. The Panel declared this complaint Inadmissible because it fell outside the scope of jurisdiction of the Panel and was manifestly ill-founded.

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

- Case 2016-09 Milorad Trifunović against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.
- Case 2016-10 Dragiša Kostić against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel

declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.

- Case 2016-14 Milan Adžančić against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.

Panel session of 10-12 September 2019

The Panel declared four (4) complaints admissible during this session.

- Case 2016-11 Andelija Brakus against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.
- Case 2016-12 U.F. against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.
- Case 2016-13 Miomir Krivokapić against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.
- Case 2016-15 Dragan Janačković against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.

Panel session of 11-13 December 2019

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

- Case 2016-17 Milijana Avramović against EULEX. The complaint concerned the disappearance of a family member of the complainant and the investigation into this disappearance. The Panel declared the complaints admissible and invited the Parties to make submissions on the merits of the complaints.

3.4. Decisions on Follow-up

The Panel issued four (4) decisions on follow-up during 2019.

Panel session of 27-29 March 2019

- Case 2011-20 X. and 115 Others against EULEX. By Decision of 22 April 2015, the Panel determined that EULEX was responsible for violating the rights of the complainants to an

effective remedy, as guaranteed by Article 13 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission.

On 11 November 2015, and again on 10 January 2017, the Panel followed-up on the implementation of its recommendations.

On 27 March 2019, the Panel adopted its Third Decision on the implementation of the recommendations of the Human Rights Review Panel. In its Decision, the Panel noted that the complainants have yet to be provided with an adequate remedy and reparation for the violation of their rights, and invited EULEX to continue performing its mandate with a view to ensuring that the complainants' rights are fully vindicated.

The matter remains pending before the Panel.

Panel session of 19-20 June 2019

- Case 2011-27 F. and Others against EULEX. By Decision of 5 December 2017, the Panel determined that EULEX was not responsible for a violation of the complainants' right to life in its substantive limb, but held that the Mission was responsible for a violation of the complainants' rights under the procedural limb of the right to life, as guaranteed by Article 2 of the European Convention on Human Rights. In addition, the Panel determined that EULEX was responsible for a violation of the complainants' right to freedom from torture, inhuman or degrading treatment, as guaranteed by Article 3 of the European Convention on Human Rights. The Panel made two recommendations to the Head of Mission of EULEX.

On 19 June 2019, the Panel adopted a Follow-Up Decision on the implementation of the recommendations of the Human Rights Review Panel. In its Decision, the Panel noted that the Head of Mission had fully implemented the Panel's first recommendation. Regarding its second recommendation, the Panel noted that although the Head of Mission had not formally acknowledged the Mission's responsibility for the violation of the complainants' rights, the Head of Mission had taken the valuable step of expressing her deepest sympathy to the complainants on behalf of the Mission.

The Panel decided to close the further examination of this case.

Panel session of 11-13 December 2019

- Case 2011-20 X. and 115 Others against EULEX. By Decision of 22 April 2015, the Panel determined that EULEX was responsible for violating the rights of the complainants to an effective remedy, as guaranteed by Article 13 of the European Convention on Human Rights. The Panel made several recommendations to the Head of Mission. On 11 November 2015, and again on 10 January 2017 and 27 March 2019, the Panel followed-up on the implementation of its recommendations.

On 11 December 2019, the Panel adopted its Fourth Decision on the implementation of the recommendations of the Human Rights Review Panel. In its Decision, the Panel noted that the complainants have yet to be provided with an adequate remedy and reparation for the violation of their rights, and invited EULEX to conduct a full review of the means available to the Mission to remedy the violation of the complainants' rights in an effective manner and to report to the Panel on the measures which it proposes to adopt to do so. The Panel also invited the Mission to consider approaching Member States through the European External Action Service regarding the possibility of reparation or compensation for the violation of the complainants' rights attributed to the Mission by the Panel.

- Case 2017-02 Zufe Miladinović against EULEX. By Decision of 19 June 2019, the Panel determined that EULEX had failed to conduct an effective investigation into the disappearance of the complainant's relative and had failed to keep the complainant informed in violation of

the complainant's fundamental rights. 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.

On 11 December 2019, The Panel adopted a Follow-Up Decision on the implementation of its recommendations. In its Decision, the Panel noted that the rights of the complainant in the present case are still being violated as the case of her missing relative remains uninvestigated. The Panel considered that 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. As a consequence, the Panel considered that the Mission has yet to explore fully what possibilities exist to ensure that the violation of the rights of complainant is remedied and that their violation comes to an end. The Panel invited the Mission to give careful consideration to what possibilities exist for the Mission to contribute to that end in a meaningful and effective manner, and to inform the Panel of the result of those considerations and what measures the Mission proposes to adopt to achieve that goal.

The Panel, therefore, decided to keep the present case open for possible further follow-up.

4. Other activities of the Panel

4.1. Meetings

On 11 January 2019, the Panel received a visit from Ms Alexandra Papadopoulou, then Head of Mission of EULEX Kosovo, accompanied by representatives of the Human Rights and Legal Office, and a Policy Advisor to the Head of Mission. The Panel discussed a number of administrative questions with the Head of Mission, including the selection process for a new external Panel Member. In particular, the Panel requested specific information regarding the pending twenty-one (21) cases of enforced disappearances that were communicated to the Head of Mission at the beginning of 2018 and insisted upon the importance of these cases to the reputation and legacy of the Mission.

On 10 September 2019, the Panel met with the Human Rights and Legal Office (HRLO) of EULEX Kosovo in order to discuss ways to address and reduce delays in processing of the communicated cases of enforced disappearances.

4.2. Public Outreach Campaign 2019

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".

The Secretariat together with one Panel Member conducted one outreach meeting in 2019, with Mr Bexhet Shala, Executive Director of the Council for Defence of Human Rights and Freedoms (CDHRF), a local NGO with a long-standing history of protection and promotion of human rights. The Panel

delegation presented the work of the Panel and the changes caused by the new mandate of EULEX Kosovo.

4.3. Induction training

The Secretariat continued its participation in the EULEX induction training program for incoming EULEX staff members. The format consists of a presentation on the work of the Panel with time allocated for questions and answers. 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://www.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://www.hrrp.eu/filing%20complaints.php>);

Moreover, the Panel has a profile on Facebook: Human Rights Review Panel;

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

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.

Following the resignation in December 2018 of one of the two external Panel members, a selection process was conducted to identify a new external Panel member. This process concluded on 26 June 2019 with the selection and appointment of Ms Anna Autio.

5.1.1. Presiding Member

In accordance with the Operation Plan of EULEX and the Rules of Procedure of the Panel, one of the external members of the Panel is elected as Presiding Member. Up until her resignation on 13 December 2018, Ms Magda Mierzewska was the Presiding Member. Following her resignation, the other external member, Prof Dr Guénaël Mettraux, became the Acting Presiding Member.

On 11 September 2019, at the first session of the Panel in its full composition, Dr Mettraux was formally elected Presiding Member by the full Panel.

5.1.2. Members as of 31 December 2019

Prof Dr Guénaël Mettraux – External Member, Presiding Member

Dr Guénaël Mettraux has a *Licence en droit* from the University of Lausanne (Switzerland), an LLM in international law from University College London and a PhD from the London School of Economics and Political Science.

Dr Mettraux is acting as Defense counsel and consultant before international criminal jurisdictions (ICTY, ICC, STL and ECCC). Over the past decade, he has represented several high-ranking military and civilian leaders accused of international crimes. He has advised governments and NGOs on various issues pertaining to regulatory regimes, criminal trials, legislations and transitional justice.

Dr Mettraux is currently Affiliate Professor of International Criminal Law Practice at Dickinson Law School, PennState University, Professor of law at Science Po Paris, and guest lecturer at the University of Fribourg (Switzerland).

He has published extensively in the field of international criminal law. His scholarly works include three books: *International Crimes and the ad hoc Tribunals* (Oxford University Press, 2005), *Perspectives on the Nuremberg Trial* (Oxford University Press, 2008) and *The Law of Command Responsibility* (Oxford University Press, 2009), which was awarded the *Lieber Prize* from the American Society of International Law. Dr Mettraux is a member of the Editorial Committee of the *Journal of International Criminal Justice* and the Board of Editors of the *International Criminal Law Review*.

Dr Mettraux has served as a member of the Human Rights Review Panel since 30 September 2012.

Ms Anna Bednarek – EULEX Member, appointed on 19 December 2018.

Ms. Bednarek was appointed as a Substitute Member of the EULEX Human Rights Review Panel (Panel) by the EULEX Head of Mission on 25 May 2011 and she was appointed as a Member of the Panel by the EULEX Head of Mission on 12 July 2011. This appointment terminated in December 2011, but upon the appointment in September 2015, Ms. Bednarek became again member of the HHRP until 14 June 2018 when the revisions to the mandate of EULEX Kosovo took place. Following the revised mandate of EULEX Kosovo in June 2018, Ms. Bednarek was appointed as a member of the Panel by the EULEX Head of Mission on 19 December 2018.

Ms Bednarek was appointed as a Judge in the District Court of Warsaw in June 1998. During her career she worked as a Senior Expert in the Office of the Agent of the Polish Government at the European Commission and Court of Human Rights, Human Rights and National Minorities Division, Legal and Treaty Department of the Polish Ministry for Foreign Affairs, Warsaw, as well as Consul in the Polish Embassy, Rome, Italy.

Moreover, she was appointed by EULEX as: Judge at the Special Chamber of the Supreme Court of Kosovo on Kosovo Trust Agency Related Matters where she has served since January 2009 and from September 2015 as Appeals Judge at the Kosovo Property Appeals Panel (KPA AP) at the Supreme Court of Kosovo. Currently, she holds a position of the Thematic Lead Monitor for the Kosovo Property Agency Appeals Panel of the Supreme Court of Kosovo.

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.

Ms. Anna Autio – External Member, appointed on 26 June 2019.

Anna Autio holds a BA Honours from the University of Oxford, an LL.B. Graduate Law from the University of Sydney, a *Certificat de droit transnational* from the University of Geneva, a Graduate Diploma of Legal Practice from the College of Law, Australia, and an MA from King's College London. She was admitted as a Lawyer of the Supreme Court of New South Wales, Australia, in 2007.

Ms. Autio has extensive experience working on international human rights law and human rights programmes, particularly in conflict, post-conflict and transition settings. The themes of her human rights work include civil and political rights, rule of law and access to justice, and the rights of victims of armed conflict, women, children, Indigenous Peoples, minorities, and other vulnerable groups.

Ms. Autio has worked for the World Bank in Washington DC, leading its human rights trust fund and the creation of a new Human Rights and Development Trust Fund, and providing technical advice

and training on human rights. She also worked for UNESCO in Morocco and Tunisia, heading the organization's Tunis office and its support to the Tunisian government, constitutional authorities, and civil society in the areas of freedom of expression, gender, and security sector reform, and coordinating a regional freedom of expression project in Egypt, Libya, Morocco, Syria, Tunisia, and Yemen. Ms Autio also worked as legal officer for UNEP in Geneva, and as an attorney focused on public international law and European Union law with international law firms in Brussels.

The Head of Mission of EULEX appointed Ms. Autio as Member of the Human Rights Review Panel on 26 June 2019.

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.

6. Operational and Administrative Matters

6.1. Budget

In 2019, the Panel did not have its own budget, separate from that of the Mission. In the past, a separate budget enabled the Panel to make its own decisions on the implementation of the public outreach campaign, in particular, the TV and/or radio broadcasts, without recourse to the budgetary resources of the Press and Public Information Office of EULEX Kosovo.

6.2. Human resources

The staffing of the Secretariat of the Panel remained stable throughout 2019.

7. Conclusions and recommendations

7.1. 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 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.

7.2. 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. 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.

7.3. Enforced Disappearance Cases

Cases of enforced disappearance make up the majority of the Panel's pending cases. Each of these cases contain individual features that reflect the peculiarity 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. 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 uninvestigated. They are important, not just for surviving relatives, but to Kosovo itself, which must face the past, however painful.

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.

7.4. End of 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 - 2019

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
Registered cases in total	16	28	23	27	42	16	35	7	4	2	200
Finalized cases in total	6	30	10	20	28	27	19	25	6	4	175
Admissible	0	7	2	7	2	21	2	2	0	10	53
Inadmissible	6	22	10	13	21	12	9	23	6	3	125
Violation	0	2	0	7	2	4	9	2	0	4	30
No violation	0	5	0	0	1	10	0	0	0	0	16
Strike out	0	1	0	0	3	1	1	2	0	0	8

		As of 31 December 2019
Pending		25
Communicated to HoM		24

ANNEX 2 Decisions of the Panel 2010-2019

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, Kitcina-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

Case	Complainant	Subject matter	Result
2010-15	Faton Sefa	Failure to get reinstated to previous employment (private sector), alleged failure to implement court rulings	Inadmissible
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

Case	Complainant	Subject matter	Result
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
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

Case	Complainant	Subject matter	Result
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
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

Case	Complainant	Subject matter	Result
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
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

Case	Complainant	Subject matter	Result
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 Ibrahimî	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
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 Krapi	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

Case	Complainant	Subject matter	Result
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 Kaçiu	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 Syla	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
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	Dobrivoje Radovanovic	Alleged violation of Article 6, and Article 1, Protocol No.1 Convention	Inadmissible

Case	Complainant	Subject matter	Result
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 Syla	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
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 Voštić	Alleged violation of Articles 2, 3, 8 and Article 2 of Protocol no. 4 of ECHR	Strike out

Case	Complainant	Subject matter	Result
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	Axhem 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
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
Decisions 2019			

Case	Complainant	Subject matter	Result
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	Andelija 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