



Date: 18 March 2009

## **HUMAN RIGHTS ADVISORY PANEL**

**Press release issued by the Secretariat**

### **HEARING IN BALAJ CASE NOT TO BE HELD IN PUBLIC**

The Human Rights Advisory Panel planned to have a public hearing on Thursday 19 March 2009 at 10.00 a.m. in the case of Balaj and others v. UNMIK (complaint No. 04/07). A press release of 13 March 2009 contained information on that hearing.

The hearing was intended to take place in the Cinema Hall of the former UNMIK MHQ, now under the responsibility of EULEX. The Panel has been informed that EULEX revokes its acceptance of the hearing being held there, as it cannot guarantee security prior to and during the hearing.

Moreover, the Panel has been informed by UNMIK that based on its own assessment of the security situation, it cannot guarantee the security in another place proposed as an alternative by the Panel.

It is unfortunate that the hearing thus cannot be organised as originally planned. The Panel has considered the matter and has decided that, notwithstanding the difficulty encountered, the hearing should nevertheless take place as scheduled.

However, in the given circumstances the Panel is forced to conclude that it is confronted with exceptional circumstances prompting it, pursuant to Section 16.1

of Regulation 2006/12 on the Establishment of the Human Rights Advisory Panel<sup>1</sup>, to decide that the hearing will not be held in public.

The hearing will take place, as originally planned, on Thursday 19 March 2009 at 10.00 a.m. The venue will be the meeting room of the Panel. Access will be restricted to the parties and their representatives.

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<sup>1</sup> Section 16.1 of Regulation 2006/12 on the Establishment of the Human Rights Advisory Panel provides as follows: "Hearings of the Advisory Panel shall be in public unless the Advisory Panel in exceptional circumstances decides otherwise."