



Contact details:

Complaints should be sent to the Secretariat of the Human Rights Advisory Panel, UNMIK HQ, East Wing, 10.000 Pristina, Kosovo.

For more information contact Mr. John J. Ryan, Executive Officer of the Secretariat of the Human Rights Advisory Panel

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www.unmikonline.org/human_rights/index.htm

The Human Rights Advisory Panel

What is the Human Rights Advisory Panel?

The Panel is an independent body that has been established by UNMIK Regulation No. 2006/12.

What is the mandate of the Human Rights Advisory Panel?

The Panel has the mandate to consider alleged violations of human rights as provided for in the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant of Civil and Political Rights, the International Covenant on Economic Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of the Child.

Who may submit a complaint?

The Panel may receive complaints concerning such human rights violations directly from any person, non-governmental organisation or group of individuals, by a family member on behalf of a complainant or by a trade union.

The Panel may also appoint a suitable person to submit a complaint and act on behalf of suspected

victims if it has reliable information that a violation of human rights has occurred.

What is the jurisdiction of the Human Rights Advisory Panel?

The Panel may only receive complaints concerning matters which fall under the responsibility of UNMIK. Complaints must relate to alleged violations of human rights that occurred after 23 April 2005 or arising from facts which occurred prior to that date where these facts give rise to a continuing violation of human rights.

Who are the members of the Human Rights Advisory Panel?

The Panel is composed of three independent members appointed by the SRSB upon a nomination by the President of the European Court of Human Rights. The President of the Panel, Mr. Marek Nowicki, a Polish national, was elected by the members. The two other members are Mr. Paul Lemmens, a Belgian national, and Ms Michèle Picard, a French national.

What are the criteria for accepting or rejecting a complaint?

Under the terms of section 3 of UNMIK Regulation No. 2006/12 the Panel can only deal with a matter after all other available avenues for review of the alleged violation have been exhausted.

Complaints must be filed within a period of six months from the date on which the final decision was taken. The Panel cannot deal with any complaint that is anonymous, that is substantially the same as a matter that has already been examined by the Panel, or that is incompatible with human rights set forth in the applicable instruments, manifestly ill-founded or an abuse of the right of complaint.

What are the Human Rights Advisory Panel procedures?

The Panel will first examine the admissibility of a complaint.

If it considers that the complaint is admissible, it will examine the merits of the case and request written observations from the parties. It may call a public hearing. The Panel will then deliberate and formulate a conclusion about whether there has been a violation of human rights by UNMIK. It may also make recommendations, in particular regarding the reparations to be offered to the complainant, which will be submitted to the SRSB. The findings and recommendations will be made public.

For a further description of the procedure to be followed by the parties and the Panel, see the rules of procedure, available on its website.