

**SRSG's decision in the cases of
Živko Živković (case no. 28/08), Božidar Perović (65/08), Arsenije Dimitrijević (68/08),
And Dragiša Aleksić (40/09)**

After reviewing the Human Rights Advisory Panel (HRAP) opinion in the cases of Živko Živković, Božidar Perović, Arsenije Dimitrijević, and Dragiša Aleksić, Special Representative of the Secretary-General Lamberto Zannier informed HRAP on 18 August 2010 of the following in relation to its recommendations:

- UNMIK in light of the recommendation of the Panel, intends to follow up on the letter of the UNMIK Department of Justice of September 2008 to the Courts in Kosovo and to request the European Union Rule of Law Mission in Kosovo (EULEX), that has taken over from UNMIK all responsibilities on the area of justice in Kosovo, to liaise with relevant local Kosovo authorities in order to assure that all possible steps are taken for the Complainants' court cases to be decided without any delay.
- In relation to the Panel's recommendation that adequate compensation be awarded to the Complainants, the Panel is aware that current United Nations General Assembly instructions on compensations do not permit the United Nations Organization or its missions to pay compensation other than for material damage or physical harm. UNMIK thus is not in position to pay any compensation for human rights violations that may have occurred at the current time. UNMIK will, however, continue to address the issue at United Nations Headquarters in New York with the aim of drawing the attention of the General Assembly of the United Nations to the need for a thorough review of its compensation rules currently in force, which exclude payment of compensation for non- pecuniary damage.
- UNMIK will also, as recommended by the Panel, inform the Complainants and the Panel about further developments in this matter.