



# **The Human Rights Advisory Panel**

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## **DECISION**

**Date of adoption: 13 May 2011**

**Case No. 69/10**

**Vesko BUKUMIRIĆ**

**against**

**UNMIK**

The Human Rights Advisory Panel sitting on 13 May 2011,  
with the following members present:

Mr Marek NOWICKI, Presiding Member  
Mr Paul LEMMENS  
Ms Christine CHINKIN

Assisted by  
Ms Anila PREMTI, Acting Executive Officer

Having considered the aforementioned complaint, introduced pursuant to Section 1.2 of UNMIK Regulation No. 2006/12 of 23 March 2006 on the Establishment of the Human Rights Advisory Panel,

Having deliberated, decides as follows:

### **I. PROCEEDINGS BEFORE THE PANEL**

1. The complaint was introduced on 25 March 2010 and registered on 15 April 2010.

### **II. THE FACTS**

2. According to the complainant in June 1999 he was dismissed from his workplace in the “PKB Pečka Pivara” (Peja/Peć Brewery) in Peja/Peć.

### **III. THE COMPLAINT**

3. The complainant complains about the fact that since his dismissal he does not receive any financial or other type of compensation.

### **IV. THE LAW**

4. Before considering the case on its merits the Panel has to decide whether to accept the case, taking into account the admissibility criteria set out in Sections 1, 2 and 3 of UNMIK Regulation No. 2006/12.
5. The Panel recalls that, according to Section 2 of UNMIK Regulation No. 2006/12, it has jurisdiction only over “complaints relating to alleged violations of human rights that had occurred not earlier than 23 April 2005 or arising from facts which occurred prior to this date where these facts give rise to a continuing violation of human rights”.
6. The Panel considers that the dismissal from work was an instantaneous act, which does not give rise to any possible continuous situation (see European Court of Human Rights, *Jovanović*, no. 59109/00, decision of 28 February 2002).
7. The Panel notes that the dismissal allegedly occurred in June 1999.
8. It follows that the complaint lies outside the Panel’s jurisdiction *ratione temporis*.

### **FOR THESE REASONS,**

The Panel, unanimously,

**DECLARES THE COMPLAINT INADMISSIBLE.**

Anila PREMTI  
Acting Executive Officer

Marek NOWICKI  
Presiding Member