

**SRSG's decision in the case of
Kabaš Krasnići (case no. 20/08)**

After reviewing the Human Rights Advisory Panel (HRAP) opinion in the case of Kabaš Krasnići, Special Representative of the Secretary-General Farid Zarif informed HRAP on 23 September 2011 of the following:

- UNMIK is unable to concur with the findings of HRAP that there was a breach of Article 6 § 1 of the European Convention on Human Rights (ECHR) regarding the right to a “fair and public hearing by an independent and impartial tribunal established by law.” While UNMIK has taken into account the detailed and reasoned opinion of HRAP in this regard, it is UNMIK’s view that the Trial Panel was duly constituted according to law. The relevant legislation allows the Trial Panel to determine if it may proceed in the case that a member of the Trial Panel is absent. Therefore, sitting as a panel of four Judges is consistent with UNMIK Regulation No. 2002/13 and UNMIK Administrative Direction No. 2006/17.