



# *The Human Rights Advisory Panel*

Building D, UNMIK HQ Prishtinë/Priština, Kosovo | E-mail: hrap-unmik@un.org | Tel: +381 (0)38 504-604, ext. 5182

## **DECISION**

**Date of adoption: 16 March 2012**

**Case No. 189/09**

**Radomir PANTOVIĆ**

**against**

**UNMIK**

The Human Rights Advisory Panel, sitting on 16 March 2012,  
with the following members taking part:

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

Assisted by  
Mr Andrey ANTONOV, 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 and registered on 30 April 2009.
2. On 8 June 2009, 6 July 2011, and 11 January 2012 the Panel sent the complainant requests for additional information; the complainant has never responded.

### **II. THE FACTS**

3. The complainant is a former resident of Kosovo, currently residing in Serbia. The complainant states that on 11 July 1999, his family was forced to flee his property in Gjakovë/Đakovica for security reasons. Additionally, the complainant states that he had proprietary interests in another apartment in Klinë/Klina.

4. On 9 July 2002 and on 12 November 2002, the complainant filed claims with the Housing and Property Directorate requesting that the Housing and Property Claims Commission (HPCC) issue decisions granting him the right to repossess the above-mentioned properties. On 27 June 2003 and 18 June 2005, respectively, the HPCC issued decisions affirming his right to repossession of the property.

### **III. THE COMPLAINT**

5. The complainant does not invoke any specific violation of human rights.

### **IV. THE LAW**

6. 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 of 23 March 2006.
7. Pursuant to Section 3.3 of the Regulation the Panel shall declare inadmissible any complaint which it considers incompatible with the human rights set out in the human rights instruments within the Panel's jurisdiction, or which it considers manifestly ill-founded.
8. The complaint lacks any specific details or information which would allow the Panel to assess whether a human rights violation by UNMIK may have occurred.
9. In these circumstances the Panel holds the complaint to be unsubstantiated and therefore manifestly ill-founded.

### **FOR THESE REASONS,**

The Panel, unanimously,

### **DECLARES THE COMPLAINT INADMISSIBLE.**

Andrey ANTONOV  
Executive Officer

Marek NOWICKI  
Presiding Member