



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

OPINION

Date of adoption: 9 June 2012

Cases nos 09/08 Olga LAJOVIĆ; 41/08 Dragiša ĐURAŠKOVIĆ; 122/09 M.S.; 157/09 Radivoje RADISAVLJEVIĆ; 184/09 Olivera ČUPIĆ; 192/09 Bogoljub ŠMIGIĆ; 193/09 Milijana VUKSANOVIĆ; 202/09 Milorad PEJČINOVIĆ; 204/09 Milan PETROVIĆ; 337/09 Vinka POPOVIĆ; 347/09 Predrag MIRIĆ; 348/09 Zoran LJUŠIĆ; 66/10 Slobodan PILIŠER

against

UNMIK

The Human Rights Advisory Panel sitting on 9 June 2012,
with the following members present:

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

Assisted by
Mr Andrey ANTONOV, Executive Officer

Having considered the aforementioned complaints, 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, makes the following findings and recommendations:

I. PROCEEDINGS BEFORE THE PANEL

1. The complaint of Ms Olga Lajović (case no. 09/08) was introduced on 5 May 2008 and registered on the same date. The complaint of Mr Dragiša Đurašković (case no. 41/08) was introduced on 11 September 2008 and registered on 20 October 2008. The complaint of M.S. (case no. 122/09) was introduced on 23 April 2009 and registered on 30 April 2009; the complaint of Mr Radivoje Radisavljević (case no. 157/09) was introduced on 10 April 2009 and registered

on 30 April 2009; the complaint of Ms Olivera Čupić (case no. 184/09) was introduced and registered on 30 April 2009; the complaint of Mr Bogoljub Šmigić (case no. 192/09) was introduced on 9 April 2009 and registered on 30 April 2009; the complaint of Ms Milijana Vuksanović (case no. 193/09) was introduced on 14 April 2009 and registered on 30 April 2009; the complaints of Messrs Milorad Pejčinović (case no. 202/09) and Milan Petrović (case no. 204/09) were introduced on 8 April 2009 and registered on 30 April 2009; the complaint of Ms Vinka Popović (case no. 337/09) was introduced on 10 April 2009 and registered on 14 December 2009; the complaint of Mr Predrag Mirić (case no. 347/09) was introduced and registered on 15 December 2009; the complaint of Mr Zoran Ljušić (case no. 348/09) was introduced on 23 April 2009 and registered on 30 April 2009, and the complaint of Mr Slobodan Pilišer (case no. 66/10) was introduced on 1 April 2010 and registered on 14 April 2010.

2. The complainant Mr Pilišer died in March 2012. On 4 April 2012, Mrs Snezana Pilišer, his widow, informed the Panel of her intention to pursue the complaint. For practical reasons, the Panel will continue to name Mr Slobodan Pilišer as the complainant, even though that capacity should now be attributed to Mrs Snezana Pilišer.
3. By decision of 19 February 2012, the Panel declared the complaint in the case of Ms Olga Lajović (case no. 09/08) admissible in part.
4. On 27 March 2012, the Special Representative of the Secretary-General (SRSG) submitted UNMIK's comments on the merits of that complaint.
5. By decision of 16 March 2012, the Panel declared the complaint in the case of Mr Dragiša Đurašković (case no. 41/08) admissible in part.
6. On 3 May 2012, the SRSG submitted UNMIK's comments on the merits of that complaint.
7. On 5 April 2102, the Panel joined all of the other complaints (listed in § 1, above) and declared them admissible in part. On 9 May 2012, the SRSG submitted UNMIK's comments on the merits of these complaints.

II. THE FACTS

8. All the complainants are former residents of Kosovo currently living in Serbia proper, with the exception of Mr Pejčinović and Mr Petrović who continue to live in Kosovo, and Mr Dragiša Đurašković who lives in Montenegro. All the complainants were owners of real property in Kosovo. They lived there until 1999 when, with the exception of Messrs Pejčinović and Petrović, they left Kosovo. Later on, they all became aware that their properties had been damaged or destroyed during the second half of 1999.
9. The complainants M.S., Mr Pejčinović, Mr Mirić, and Mr Petrović lodged claims seeking compensation for the damage caused to their properties with the competent municipal courts against UNMIK, KFOR, the Kosovo Provisional Institutions of Self-Government (PISG) and the relevant municipalities. The other

complainants directed their claims only against the relevant municipalities and the PISG. All claims were lodged in 2004.

10. Approximately 17,000 compensation claims were lodged in 2004 before Kosovo courts, the vast majority of which by Kosovo Serbs who because of the hostilities had left their homes in Kosovo in 1999 and whose property was later damaged or destroyed. With a view to meeting the statutory five-year time-limit for submitting civil compensation claims, these claimants lodged their claims around the same time in 2004. The claims were directed against some combination of UNMIK, KFOR, the PISG and the relevant municipality (see Human Rights Advisory Panel (HRAP), *Milogorić and Others*, cases nos 38/08, 58/08, 61/08, 63/08 and 69/08, opinion of 24 March 2010, at § 1; for the legal basis upon which the claimants based their claim, see the same opinion, at § 5).
11. With respect to these cases, the Director of the UNMIK Department of Justice (DOJ) sent a letter to all municipal and district court presidents and to the President of the Supreme Court of Kosovo on 26 August 2004. In the letter, the Director of DOJ mentioned that “over 14,000” such claims had been lodged. He referred to “the problems that such a huge influx of claims will pose for the courts”, and asked that “no [such] case be scheduled until such time as we have jointly determined how best to effect the processing of these cases” (for the full text of the letter, see the *Milogorić and Others* opinion, cited in § 10 above, at § 6).
12. On 15 November 2005, the DOJ called on the courts to begin processing claims for damages caused by identified natural persons and for damages caused after October 2000, considering that the “obstacles to the efficient processing of these cases” did not exist any longer. Claims related to events arising before October 2000 were not affected by this letter.
13. On 28 September 2008, the Director of the DOJ advised the courts that cases which had not been scheduled according to the 26 August 2004 request should now be processed.
14. On 9 December 2008, UNMIK’s responsibility with regard to the judiciary in Kosovo ended with the European Union Rule of Law Mission in Kosovo (EULEX) assuming full operational control in the area of the rule of law, following the Statement made by the President of the United Nations Security Council on 26 November 2008 (S/PRST/2008/44), welcoming the continued engagement of the European Union in Kosovo.
15. By the end of 2008, the courts had not contacted the complainants and no hearings had been scheduled.
16. The circumstances of the individual cases at issue are outlined in the annex to this opinion.

III. THE COMPLAINTS

17. Insofar as the complaints have been declared admissible, the complainants in substance allege that the proceedings concerning their claims for damages for

destroyed property were stayed, thus making it impossible for them to obtain the determination of their claims, in breach of their right of access to a court under Article 6 § 1 of the European Convention on Human Rights (ECHR). They also complain that, as a result of the stay, the proceedings have not been concluded within a reasonable time, in breach of Article 6 § 1 of the ECHR. Finally, they allege that for the same reason their right to an effective remedy under Article 13 of the ECHR has been violated as well.

IV. JOINDER OF THE COMPLAINTS

18. The Panel decides, pursuant to Rule 20 of its Rules of Procedure, to join the complaints in the cases of Ms Olga Lajović (case no. 09/08) and Mr Dragiša Đurašković (case no. 41/08) to the other complaints previously joined in the cases of M.S. and Others (cases nos 122/09 and others).

V. THE LAW

Alleged violations of Article 6 § 1 of the ECHR

19. The Panel notes that the cases of the complainants raise issues the substance of which has already been submitted to the Panel by other complainants. The Panel recalls that in, for instance, the joined cases of *Milogorić and Others* (cited in § 10 above), it examined complaints by five complainants who were also owners of real property in Kosovo. In 1999, fearing hostilities, they too left their homes in Kosovo. Their property was damaged or destroyed during the second half of 1999, after the entry into Kosovo of UNMIK and KFOR. These complainants also filed claims in 2004 before the competent municipal courts against UNMIK, KFOR, the PISG and the relevant municipalities, seeking compensation for the damage caused to their property. They too had not been contacted by the courts and no hearings had been scheduled, due to the above mentioned intervention by the DOJ which halted the judicial proceedings from August 2004 to September 2008.
20. In his response to the present cases the SRSG provides detailed arguments, based on the jurisprudence of the European Court of Human Rights (ECtHR). The SRSG argues among other things that UNMIK's request that the proceedings be stayed must be considered to have had a legitimate aim, and that in the circumstances of post-conflict Kosovo and its burgeoning judicial system, the temporary stay was the only way for UNMIK to deal with the exceptional situation with which the Kosovo judicial system was faced, caused by the influx of compensation claims. The SRSG also argues that there was a reasonable proportionality between the means employed and the aim sought to be achieved, because a fair balance was struck between the demands of the general interest of society and the requirements for the protection of the individuals' fundamental rights. According to the SRSG, the reasonableness of the length of proceedings is to be assessed in the light of the particular circumstances of the case, and the ECtHR applies three criteria in particular: the conduct of the judicial authorities, the complexity of the case, and the conduct of the applicant. Only delays attributable to the State cause a violation of the reasonable time requirement. The SRSG analyses in detail the application of the above three criteria in the context of Kosovo and as they relate to the complainants.

21. As regards the conduct of the complainants, the SRSG argues that the majority of them have not presented any evidence to show that they in any way ever enquired as to the progress of their cases, or complained that their cases were not progressing and should progress within either the local courts in Kosovo, or the DOJ or any other UNMIK or PISG organ, including the Court Liaison Offices. Nor have the complainants complained to EULEX subsequent to its deployment in Kosovo in December 2008. The SRSG also argues that some of the complainants have not shown that they took any steps to repossess their property following the decisions of the Housing and Property Claims Commission (HPCC) made between June 2003 and October 2008.
22. The Panel recalls that it already considered and rejected all of these arguments in *Milogorić and Others* (cited in § 10 above), in *Berisha and Others* (HRAP, cases nos. 27/08 and others, opinion of 23 February 2011, § 24) and in *Lalić and Others* (HRAP, cases nos. 30/08 and others, opinion of 13 May 2011, § 21). Concerning the argument that the circumstances in Kosovo must be taken into account, the Panel found that it is true that UNMIK's interim character and related difficulties must be duly taken into account with regard to a number of situations, but under no circumstances could these elements be taken as a justification for diminishing standards of respect for human rights, which were duly incorporated into UNMIK's mandate (*Milogorić and Others*, § 44; *Berisha and Others*, § 25; *Lalić and Others*, § 22).
23. The Panel sees no reason to depart from these findings in the cases of *Milogorić and Others*, *Berisha and Others*, and *Lalić and Others*.
24. Concerning the argument of the SRSG that the complainants did not enquire about the progress of their cases with the relevant courts, either before EULEX's deployment in December 2008 or thereafter, the Panel has already rejected these arguments in *Lalić and Others* (cited in § 22 above). It found that the complainants could not be blamed for not having enquired with the relevant courts as to the progress of their cases (*Lalić and Others*, § 25). Moreover, as to the argument that the complainants did not enquire with EULEX about the progress of their cases, the Panel has found that this issue was irrelevant for the examination of the complaints, since the situation after December 2008 falls in any event outside UNMIK's responsibility (see § 14 above; *Lalić and Others*, § 26).
25. Finally, the Panel has also already rejected the SRSG's arguments concerning any claims the complainants might have lodged with the HPCC. Since these were claims of a different nature, a decision taken by the HPCC could not have any bearing on the processing of the compensation claims by the courts (*Lalić and Others*, § 27).
26. The Panel sees no reason to depart from these findings in the case of *Lalić and Others*.
27. In the light of the foregoing, the Panel finds that there has been a violation of Article 6 § 1 of the ECHR in respect of the inability of the complainants to have their claims determined by the courts, and that it is not necessary to examine separately the issue of the length of the proceedings.

Alleged violation of Article 13 of the ECHR

28. The Panel finds that the complaints under Article 13 of the ECHR (right to an effective remedy) concern essentially the same issues as those discussed under Article 6 § 1. In these circumstances, it finds that no separate issues arise under Article 13 of the ECHR (HRAP, *Milogorić and Others*, cited above, § 49).

V. RECOMMENDATIONS

29. In light of the Panel's findings in this case, the Panel is of the opinion that some form of reparation is necessary.
30. It would normally be for UNMIK to take the appropriate measures in order to put an end to the violation noted and to redress as far as possible the effects thereof. However, as the Panel noted above (see § 14, above) UNMIK's responsibility with regard to the judiciary in Kosovo ended on 9 December 2008, with EULEX assuming full operational control in the area of rule of law. UNMIK therefore is no longer in a position to take measures that will have a direct impact on proceedings pending before the municipal courts.
31. The Panel considers that this factual situation does not relieve UNMIK from its obligation to redress as far as possible the effects of the violations for which it is responsible. In line with the case law of the ECtHR on situations of reduced State jurisdiction, the Panel is of the opinion that UNMIK must endeavour, with all the diplomatic means available to it *vis-à-vis* the Kosovo authorities, to obtain assurances that the cases filed by the complainants will be duly processed (see HRAP, *Milogorić and Others* § 49, and *Lalić and Others* § 32, cited above; compare ECtHR (Grand Chamber), *Ilaşcu and Others v. Moldova and Russia*, no. 48787/99, judgment of 8 July 2004, *ECHR*, 2004-VII, § 333; ECtHR, *Al-Saadoon and Mfudhi v. United Kingdom*, no. 61498/08, judgment of 2 March 2010, § 171).
32. The Panel further considers that UNMIK should take appropriate steps towards adequate compensation for each of the complainants for non-pecuniary damage suffered as a result of the prolonged stay of the proceedings instituted by them.

FOR THESE REASONS,

The Panel, unanimously,

- 1. FINDS THAT THERE HAS BEEN A VIOLATION OF ARTICLE 6 § 1 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS IN RESPECT OF THE INABILITY OF THE COMPLAINANTS TO HAVE THEIR CLAIMS DETERMINED BY THE COURTS;**
- 2. FINDS THAT THERE IS NO NEED TO EXAMINE THE COMPLAINTS UNDER ARTICLE 6 § 1 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS AS TO THE LENGTH OF THE PROCEEDINGS;**

3. FINDS THAT THERE IS NO NEED TO EXAMINE THE COMPLAINTS UNDER ARTICLE 13 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS;

4. RECOMMENDS THAT UNMIK:

- a. URGE THE COMPETENT AUTHORITIES IN KOSOVO TO TAKE ALL POSSIBLE STEPS IN ORDER TO ASSURE THAT THE COMPLAINANTS' CASES WILL BE DECIDED WITHOUT ANY FURTHER DELAY;**
- b. TAKE APPROPRIATE STEPS TOWARDS ADEQUATE COMPENSATION FOR EACH OF THE COMPLAINANTS FOR NON-PECUNIARY DAMAGE;**
- c. TAKE IMMEDIATE AND EFFECTIVE MEASURES TO IMPLEMENT THE RECOMMENDATIONS OF THE PANEL AND INFORM THE COMPLAINANTS AND THE PANEL ABOUT FURTHER DEVELOPMENTS IN THIS CASE.**

Andrey ANTONOV
Executive Officer

Marek NOWICKI
Presiding Member

Annex

Case no. 09/08 Olga LAJOVIĆ

1. The complainant is a former resident of Kosovo currently living in Serbia proper.
2. She is the owner of property in the Municipality of Istog/Istok, including her family estate. Following her departure from Kosovo, she learned that her property had been destroyed and usurped.
3. On 10 June 2004, the complainant submitted a claim to the Municipal Court of Istog/Istok, against the Municipality of Istog/Istok and the Provisional Institutions of Self-Government of Kosovo (PISG), seeking compensation for the damage caused by the destruction of her house and accompanying buildings. She claims 305,000 euros in compensation for this damage.
4. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case no. 41/08, Dragiša ĐURAŠKOVIĆ

5. The complainant is a former resident of Kosovo currently living in Montenegro.
6. He is the owner of two properties located in the Municipality of Pejë/Peć; a flat and small yard and a house and plot of land. At the end of 2003, the complainant learned that a large part of his first property in Kosovo had been damaged, looted and usurped. Later he also discovered that his second property had been expropriated by the Pejë/Peć Municipality, and that a public road was built over it.
7. On 20 May 2004, the complainant submitted a claim to the Municipal Court of Pejë/Peć, against the Municipality of Pejë/Peć and the PISG, seeking compensation for the damage caused by the destruction of the house, of movable property and of the professional tools in the second property. He claims 47,000 euros in compensation for this damage. On 8 June 2004, the complainant submitted a claim to the Municipal Court of Pejë/Peć, against the Municipality of Pejë/Peć and the PISG, seeking compensation for the damage caused by the destruction of all the movable property in his first property. He claims 15,000 euros in compensation for this damage.
8. By the end of 2008, the complainant states that the Municipal Court had not contacted the complainant and no hearings had been scheduled on either claim.

Case no. 122/09, M.S

9. The complainant is a former resident of Kosovo currently living in Serbia proper.
10. He is the owner an apartment, located in the Municipality of Kaçanik/Kaçanik, where he lived until 1999. He discovered the usurpation and damage of his property when he inspected it sometime prior to July 2004. He asserts that his property had been usurped during the second half of 1999.

11. On 7 July 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Kačanik/Kaçanik against the Municipality of Kačanik/Kaçanik, the PISG, UNMIK and KFOR seeking compensation for the destruction of his property. He claims 11,600 euros in compensation for this damage.
12. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case no. 157/09, Radivoje RADISAVLJEVIĆ

13. The complainant is a former resident of Kosovo currently living in Serbia proper.
14. The complainant is a co-owner of a residential house, auxiliary buildings, farmland, livestock, an orchard and a forest located in the Municipality of Podujevë/Podujevo, where he lived until April 1999. He was informed by friends in December 2003 that his property had been destroyed during the second half of 1999.
15. On 8 June 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Podujevë/Podujevo against the Municipality of Podujevë/Podujevo and the PISG seeking compensation for the destruction of his property. He claims 755,000 euros in compensation for this damage.
16. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case no. 184/09, Olivera ČUPIĆ

17. The complainant is a former resident of Kosovo currently living in Serbia proper.
18. The complainant is the owner an apartment, located in the Municipality of Pejë/Peć, where she lived with her family until 1999. She was informed in 2003 that her property had been previously looted and usurped.
19. On 26 May 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Pejë/Peć against the Municipality of Pejë/Peć and the PISG seeking compensation for the destruction of her property. She claims 20,000 euros in compensation for this damage.
20. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case no. 192/09, Bogoljub ŠMIGIĆ

21. The complainant is a former resident of Kosovo currently living in Serbia proper.
22. The complainant is a co-owner of a residential house, auxiliary buildings, an orchard, a forest, and land located in the Municipality of Skenderaj/Srbica, where he lived with his family until June 1999. He was informed by his friends in 2000 that his property had been destroyed during the second half of 1999.

23. On 20 May 2004, the complainant's brother lodged a compensation lawsuit before the Municipal Court of Skenderaj/Srbica against the Municipality of Skenderaj/Srbica and the PISG seeking compensation for the destruction of his property. He claims 500,000 euros in compensation for this damage.
24. By the end of 2008, the Municipal Court had not contacted the complainant's brother, and no hearing had been scheduled.
25. In 2011, the complainant's brother died and the complainant has continued to represent the other co-owners regarding the claim.

Case no. 193/09, Milijana VUKSANOVIĆ

26. The complainant is a former resident of Kosovo currently living in Serbia proper.
27. The complainant is a co-owner of two residential houses, auxiliary buildings, an orchard, a car, and land located in the Municipality of Pejë/Peć, where she lived with her family until June 1999. She was informed in 2003 that her property had been destroyed during the second half of 1999.
28. On 13 December 2004 the complainant's mother lodged a compensation lawsuit before the Municipal Court of Pejë/Peć against the Municipality of Pejë/Peć and the PISG seeking compensation for the destruction of her property. The complainant's mother claims 170,000 euros in compensation for this damage.
29. By the end of 2008, the Municipal Court had not contacted the claimant or the complainant and no hearing had been scheduled.

Case no. 202/09, Milorad PEJČINOVIĆ

30. The complainant is a resident of Kosovo.
31. The complainant is the owner of residential houses, auxiliary buildings and land located in the Municipality of Pejë/Peć, where he and his family lived until June 1999. He was informed in 2003 that the property was destroyed during the second half of 1999.
32. On 29 June 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Pejë/Peć against the Municipality of Pejë/Peć, the PISG, UNMIK and KFOR, seeking compensation for the destruction of his property. He claims 324,958 euros in compensation for this damage.
33. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case no. 204/09, Milan PETROVIĆ

34. The complainant is a resident of Kosovo.
35. The complainant is the owner of two properties: a residential house and an apartment located in the Municipality of Prizren, where he lived until June 1999,

and an apartment located in the Municipality of Gjakovë/Đakovica. He found out that his properties had been destroyed during the second half of 1999.

36. On 8 June 2004 the complainant lodged a compensation lawsuit before the Municipal Court of Gjakovë/Đakovica against the Municipality of Gjakovë/Đakovica and the PISG seeking compensation for the destruction of his apartment. On 2 March 2006, he amended the lawsuit to include UNMIK and KFOR as well. He claims 80,000 euros in compensation for this damage. On 9 June 2004 the complainant lodged a compensation lawsuit before the Municipal Court of Prizren against the Municipality of Prizren and the PISG seeking compensation for the destruction of his property. He claims 69,120 euros in compensation for this damage.
37. By the end of 2008, the Municipal Courts had not contacted the complainant and no hearings had been scheduled.

Case no. 337/09, Vinka POPOVIĆ

38. The complainant is a former resident of Kosovo currently living in Serbia proper.
39. The complainant is the owner of an apartment in the Municipality of Pejë/Peć, where she and her family lived until June 1999. She was informed in 2003 that the property was usurped during the second half of 1999.
40. On 1 December 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Pejë/Peć against the Municipality Pejë/Peć and the PISG, seeking compensation for the theft of valuables inside the apartment and the usurpation of her property. She claims 27,000 euros in compensation for this damage.
41. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.

Case 347/09, Predrag MIRIĆ

42. The complainant is a former resident of Kosovo currently living in Serbia proper.
43. The complainant is the owner of a residential house and another property used for business located in the Municipality of Prishtinë/Priština, where he lived with his family until June 1999. He was informed by his neighbours that the property was usurped during the second half of 1999.
44. On 2 August 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Prishtinë/Priština against the Municipality of Prishtinë/Priština, the PISG, UNMIK and KFOR, seeking compensation for the usurpation of his property and physical damage he suffered allegedly from KLA members. He claims 1,500,000 euros in compensation for this damage.
45. By the end of 2008, the Municipal Courts had not contacted the complainant and no hearings had been scheduled.

Case no. 348/09, Zoran LJUŠIĆ

46. The complainant is a former resident of Kosovo currently living in Serbia proper.
47. He is the owner of a residential house and land located in the Municipality of Istog/Istok where he lived until 1999. He found out that his properties had been destroyed during the second half of 1999.
48. On 25 May 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Istog/Istok against the Municipality of Istog/Istok and the PISG seeking compensation for the destruction of his property. He claims 200,000 euros in compensation for this damage.
49. By the end of 2008, the Municipal Courts had not contacted the complainant and no hearings had been scheduled.

Case no. 66/10, Slobodan PILIŠER

50. The complainant was a former resident of Kosovo who lived in Serbia proper until his death in March 2012. Mrs Snezana Pilišer, his widow, informed the Panel of her intention to pursue the complaint.
51. The complainant owned an apartment located in the Municipality of Prishtinë/Priština, where he lived with his family until June 1999. He was informed in 2000 that all of the movable property in his apartment had been taken during the second half of 1999.
52. On 29 May 2004, the complainant lodged a compensation lawsuit before the Municipal Court of Prishtinë/Priština against the Municipality of Prishtinë/Priština and the PISG seeking compensation for the destruction of his property. He claims 43,950 euros in compensation for this damage.
53. By the end of 2008, the Municipal Court had not contacted the complainant and no hearing had been scheduled.