SRSG’s decision in the complaints of
Mrs. R.P. (Nos. 120/09 and 121/09)

After reviewing the opinion and recommendations of my Human Rights Advisory Panel on the
complaints of Mrs. R.P. (complaints nos. 120/09 and 121/09), I informed my Advisory Panel, on
24 April 2014, of the following:

- I wish at the outset to express my appreciation for the work of the Panel and for the
  recommendations it has made in relation to the present complaints.
- With respect to the first recommendation, UNMIK will, as recommended by the Panel,
  continue to urge EULEX and other competent authorities to continue to take all possible
  steps in order to ensure that the criminal investigation into the disappearance and killing
  of Mr. R.P. and Mr. M.P. is continued and that the perpetrators are brought to justice.
- In relation to the Panel’s second recommendation, I regret that there was a lack of an
  effective investigation into the disappearance and killing of Mr. R.P. and Mr. M.P., which
  also caused distress and mental suffering.
- The Panel has also recommended that I take appropriate steps towards the payment of
  adequate compensation to the complainant for moral damage and to take appropriate
  steps towards the realization of a full and comprehensive reparation programme. In this
  regard, I wish to recall that the acts in question relate to activities carried out by the
  institutions established under the interim administration of Kosovo. As such, had
  UNMIK continued to have control over these institutions today, UNMIK would have
  been in a position to refer the Panel’s recommendation to those institutions for
  appropriate action. I am prepared to discuss the possibility of setting up a mechanism to
  deal with such matters with the relevant authorities at the appropriate juncture.
- Lastly, in relation to the fifth recommendation concerning guarantees of non-repetition, I
  wish to note that UNMIK no longer performs police functions, including police
  investigations. In this regard, I wish to recall that the Panel has been set up by UNMIK
  with the mandate to examine complaints from any persons or groups of individuals
  claiming to be the victim of a violation by UNMIK of their human rights. I also wish to
  recall that the mandate of UNMIK, and thus also the mandate of the SRSG, is limited to
  what is set out in Security Council resolution 1244 (1999) as it has evolved over time
  under the auspices of the Security Council.
- As a general matter, the Panel may also wish to be informed that the principal organs of
  the United Nations have adopted numerous resolutions and decisions which reflect the
  importance of promoting and protecting human rights, including by the United Nations.
  The Organisation also continues to make changes in order to strengthen its work for the
  future and within the areas of the United Nations where it can make a difference. In this
  regard it will continue striving to meet its core mission of protecting people from harm.

Farid Zarif
Special Representative of the Secretary-General