



INADMISSIBILITY DECISION

Date of adoption: 5 June 2026

Case no. 2025-03

Agim Zeka and Derjana Zeka

Against

EULEX

The Human Rights Review Panel (“the Panel”), sitting on 5 June 2026 with the following members present:

Ms Marina MANCINI, Acting Presiding Member
Mr Petko PETKOV, Member

Assisted by
Ms Pia HOLM, Legal Officer

Having considered the aforementioned complaint, introduced pursuant to Council Joint Action 2008/124/CFSP of 4 February 2008, the EULEX Kosovo Accountability Concept of 29 October 2009 on the establishment of the Human Rights Review Panel and the Rules of Procedure of the Panel as last amended on 2 June 2026,

Having deliberated, decides as follows:

I. PROCEEDINGS BEFORE THE PANEL

1. The complaint was submitted by email and registered on 13 November 2025.
2. By the letter of 14 November 2025, the Panel informed the Head of Mission (HoM) of EULEX Kosovo (“the Mission”) that this case had been registered.
3. On 19 November 2025, the Panel requested additional information from the complainants regarding the documents listed in the complaint that had not been attached.
4. On the same day, the complainants submitted an unsigned revised version of the complaint by email, attaching the documents.

5. On 21 November 2025, following the Panel's request, the complainants sent the duly signed revised complaint.

II. THE FACTS

6. The complainants are Agim Zeka and his daughter Derjana Zeka. They are Kosovo Albanians living in North Mitrovica.
7. The complaints allege that on 16 February 2024, they went to the EULEX Center in Mitrovica to lodge a complaint about allegedly illegal Kosovo Police recruitment practices, but were denied entry by the security guards at the gate.
8. They allege that Derjana Zeka's applications for positions within the Kosovo police were unlawfully refused three times. Twice, she was advised to declare herself a Bosniak to be successful. The third time, she was told that her application could not be accepted, because her high school diploma, issued by the authorities of the Republic of Serbia, was not recognised in Kosovo.
9. The complainants claim that after being refused entry to the EULEX Center in Mitrovica, they brought their case to EULEX's attention by email, but did not receive any response from the Mission.

III. COMPLAINT

10. The complainants allege that their rights under the following human rights instruments have been violated by the conduct described above, without further specification:
 - The Universal Declaration of Human Rights;
 - The European Convention on Human Rights;
 - The Convention on the Elimination of All Forms of Racial Discrimination;
 - The International Covenant on Civil and Political Rights;
 - The Convention on the Elimination of All Forms of Discrimination against Women;
 - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

IV. THE LAW

11. Before considering the complaint on its merits, the Panel must determine whether to admit the complaint, taking into account Rule 29(1) of the Rules of Procedure. This provision states that the Panel may declare a complaint inadmissible in summary proceedings, *inter alia*, if the complaint falls outside the Panel's jurisdiction.

12. According to Rule 25(1) of the Rules of Procedure, the Panel's jurisdiction is limited to complaints concerning alleged human rights violations by the Mission in the conduct of its executive mandate. The Mission's executive mandate is established in Article 3 of the EU Council Joint Action 2008/124/CFSP, as amended by the EU Council Decision (CFSP) 2018/856.
13. The Panel considers that EULEX Kosovo has no competence whatsoever regarding the recruitment of personnel by the Kosovo Police. Investigation and prosecution of illegal practices in the recruitment of Kosovo police fall entirely within the competence of the Kosovo authorities.
14. The Panel finds that the allegations made by the complainants are not connected to the Mission's executive mandate and, therefore, fall outside the Panel's jurisdiction.

FOR THESE REASONS,

The Panel unanimously holds that it lacks the competence to examine the complaint, as it falls outside the scope of its jurisdiction within the meaning of Rules 25(1) and 29(1)(d) of its Rules of Procedure, and

DECLARE THE COMPLAINT INADMISSIBLE.

Marina MANCINI,
Acting Presiding Member

Petko PETKOV,
Member