

**SRSG's decision in the case of  
Nexhmedin Spahiu (case no. 02/08)**

After reviewing the Human Rights Advisory Panel (HRAP) opinion in the case of Nexhmedin Spahiu, Special Representative of the Secretary-General Lamberto Zannier informed HRAP on 5 November 2010 of the following in relation to its recommendations:

- UNMIK recognizes that there has been a violation of Article 1 of Protocol 1 to the European Convention on Human Rights and of Article 17 of the Universal Declaration of Human Rights by the Chief Executive of the Independent Media Commission's issuance of an order to confiscate TV Mitrovica's equipment on 28 December 2007. This order and the subsequent confiscation were unlawful, as the confiscation was based on an illegal delegation of power by the Council of the Independent Media Commission to the Chief Executive of the Independent Media Commission. The Chief Executive of the Independent Media Commission was not legally competent to order any confiscation of broadcasting equipment.
- UNMIK will, as recommended by the Panel, inform the complainant and the Panel about the implementation of this recommendation.