



International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991

Case No. IT-04-84-R77.4

Date: 25 April 2008

Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Christine Van Den Wyngaert
Judge Bakone Justice Moloto

Registrar: Mr. Hans Holthuis

Order of: 25 April 2008

PROSECUTOR

v.

**ASTRIT HARAQIJA
and
BAJRUSH MORINA**

PUBLIC

**ORDER LIFTING CONFIDENTIALITY OF THE
INDICTMENT**

The Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Stefan Wäspi

TRIAL CHAMBER I (“Trial Chamber”) of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Former Yugoslavia since 1991 (“Tribunal”);

BEING SEIZED OF the “Prosecution Motion to Lift the Confidentiality of the Indictment and for Issuance of Arrest Warrants” filed confidentially and *ex parte* by the Prosecution on 17 April 2008;

NOTING the “Prosecution’s Submission of an Indictment Against Astrit Haraqija and Bajrush Morina for Contempt”, filed confidentially and *ex parte* by the Prosecution on 8 January 2008;

NOTING that the indictment against Astrit Haraqija and Bajrush Morina (“Accused”) (“Indictment”) was confirmed on 12 February 2008 and referred to the President for assignment to a trial chamber;¹

NOTING that the President of the Tribunal assigned the case to Trial Chamber I for trial² and that therefore, the Bench hearing the case has been composed;³

NOTING that on 15 February 2008, the Pre-Trial Judge instructed the Registrar to invite the relevant authorities of the Host State to address various practical matters concerning the attendance of the Accused at trial proceedings in the present case;⁴

CONSIDERING that the Trial Chamber has been constituted, that the practical matters concerning the attendance of the Accused at trial proceedings in the case have been addressed, and that the case may proceed with the scheduling of the initial appearance of the Accused, the reasons for maintaining the confidentiality of the Indictment no longer exist;

FINDING it now appropriate that the Indictment should be public;

¹ Decision on Review of Indictment, 12 February 2008 (confidential).

² Order Assigning a Case to a Trial Chamber, 13 February 2008 (confidential and *ex parte*).

³ Order on Composition of Trial Bench and Designating a Pre-Trial Judge, 15 February 2008 (confidential and *ex parte*).

⁴ Decision on Prosecution Motion to Partially Lift Confidentiality of the Indictment and Request to Host State to Communicate Views, 15 February 2008 (confidential and *ex parte*).

PURSUANT to Rule 54 of the Rules;

HEREBY ORDERS that the confidentiality of the Indictment shall be lifted.

Done in English and French, the English version being authoritative.

Dated this twenty-fifth day of April 2008

At The Hague

The Netherlands



**Judge Alphons Orié,
Presiding**

[Seal of the Tribunal]