



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

Case No. IT-04-84-A
Date: 2 July 2010
Original: English

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Andréia Vaz
Judge Theodor Meron

Registrar: Mr John Hocking

Order: 2 July 2010

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

PUBLIC

**ORDER RECALLING LAHI BRAHIMAJ FROM
PROVISIONAL RELEASE**

The Office of the Prosecutor:

Mr. Peter Kremer

Counsel for the Accused:

Mr. Ben Emmerson and Mr. Rodney Dixon for Ramush Haradinaj
Mr. Gregor Guy-Smith and Ms. Colleen Rohan for Idriz Balaj
Mr. Richard Harvey and Mr. Paul Troop for Lahi Brahimaj

THE APPEALS CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Appeals Chamber” and “International Tribunal”, respectively),

RECALLING the “Decision on Lahi Brahimaj’s Application for Provisional Release”, issued on 27 May 2009 (“Provisional Release Decision”), which provisionally released Lahi Brahimaj subject to him returning to the United Nations Detention Unit (“UNDU”) in The Hague at a time to be determined by the Appeals Chamber;¹

NOTING the “Scheduling Order for Pronouncement of Judgement”, issued by the Appeals Chamber on 2 July 2010, ordering that the Judgement in this appeal shall be pronounced in public on Wednesday, 21 July 2010 at 9:30 a.m.;

NOTING that the Provisional Release Decision required the EULEX-Kosovo Mission to assume “responsibility ... for all expenses concerning the transportation of Lahi Brahimaj from Priština airport to his residence and back”;²

PURSUANT to Rule 65 of the Rules of Procedure and Evidence of the International Tribunal:

HEREBY ORDERS that:

1. Lahi Brahimaj shall return to the UNDU in The Hague for the pronouncement of the Judgement in his case;
2. the EULEX-Kosovo Mission shall designate an official who will accompany Lahi Brahimaj from his place of residence in Kosovo/Kosova and who will deliver him at Priština airport into the custody of a security officer designated by the Registrar of the International Tribunal;
3. the EULEX-Kosovo Mission shall ensure the personal security and safety of Lahi Brahimaj until he is delivered into the custody of the International Tribunal’s security officer at Priština airport;
4. the authorities of The Netherlands shall ensure that Lahi Brahimaj is transported, under guard, from Schiphol Airport to the UNDU;

¹ Provisional Release Decision, para. 18.

² Provisional Release Decision, para. 18.

5. the Provisional Release Decision shall be stayed for the pronouncement of the Judgement, pending any further order from the Appeals Chamber;

HEREBY INSTRUCTS that:

6. the Registrar of the International Tribunal shall consult with the Dutch Ministry of Justice with regard to the practical arrangements for Lahi Brahimaj's return to the UNDU;
7. the EULEX-Kosovo Mission, The Netherlands, and the Registry of the International Tribunal shall communicate with each other to facilitate the orderly return of Lahi Brahimaj to the UNDU;

HEREBY REQUESTS that the authorities of all States through whose territory Lahi Brahimaj may travel:

8. shall hold Lahi Brahimaj in custody for any time that he will spend in transit; and
9. shall arrest and detain Lahi Brahimaj, should he attempt to escape during his transfer to the UNDU in The Hague.

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



Judge Patrick Robinson
Presiding

Dated this second day of July 2010
At The Hague
The Netherlands

[Seal of the International Tribunal]