

IT-04-84bis-AR73.2 106  
A106-A104  
16 March 2011 MC

**UNITED  
NATIONS**



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-04-84bis-AR73.2  
Date: 16 March 2011  
Original: English

**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before:** Judge O-Gon Kwon, Acting President  
**Registrar:** Mr. John Hocking  
**Order of:** 16 March 2011

**PROSECUTOR**

**v.**

**RAMUSH HARADINAJ  
IDRIZ BALAJ  
LAHI BRAHIMAJ**

***PUBLIC***

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**ORDER ASSIGNING JUDGES TO A CASE  
BEFORE THE APPEALS CHAMBER**

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**Office of the Prosecutor**

Mr. Paul Rogers

**Counsel for the Accused**

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

**I, O-GON KWON**, Acting President 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 (“International Tribunal”),

**NOTING** the “Decision on Idriz Balaj’s Request for Clarification of the Decision Regarding Paragraph 24 of the Revised Shortened Indictment” (“Impugned Decision”), issued by Trial Chamber II (“Trial Chamber”) on 8 February 2011;

**NOTING** the “Decision on Idriz Balaj’s Application Pursuant to Rule 73(B) for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011”, issued by the Trial Chamber on 24 February 2011, in which the Trial Chamber granted Idriz Balaj’s (“Balaj”) application for certification to appeal the Impugned Decision,<sup>1</sup> as well as Lahi Brahimaj’s (“Brahimaj”) request to join Balaj’s application for certification to appeal the Impugned Decision;<sup>2</sup>

**NOTING** the “Appeal Brief on Behalf of Idriz Balaj on Clarification of the Operative Indictment”, filed by Balaj on 3 March 2011;

**NOTING** “Lahi Brahimaj’s Joinder in the Appeal Brief Filed by Idriz Balaj on Clarification of the Operative Shortened Indictment”, filed by Brahimaj on 3 March 2011;

**NOTING** that President Patrick Robinson is currently absent from the International Tribunal and that, pursuant to Rule 21 of the Rules of Procedure and Evidence of the International Tribunal, the Vice-President shall exercise the functions of the President in case of the latter’s absence or inability to act;

**CONSIDERING** Articles 12(3) and 14(3) of the Statute of the International Tribunal and Rule 73(B) of the Rules of Procedure and Evidence of the International Tribunal;

**CONSIDERING** the composition of the Appeals Chamber of the International Tribunal as set out in document IT/263 issued on 11 May 2009;

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<sup>1</sup> See *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-PT, Idriz Balaj’s Application Pursuant to Rule 73(B) of the Rules for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011, 15 February 2011.

<sup>2</sup> See *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-PT, Lahi Brahimaj’s Joinder in “Idriz Balaj’s Application Pursuant to Rule 73(B) of the Rules for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011”, 16 February 2011.

**HEREBY ORDER** that the Bench in *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-AR73.2, shall be composed as follows:

Judge Patrick Robinson, Presiding

Judge Fausto Pocar

Judge Liu Daqun

Judge Andrézia Vaz

Judge Theodor Meron

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

Done this 16<sup>th</sup> day of March 2011,  
At The Hague,  
The Netherlands.

  
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Judge O-Gon Kwon  
Acting President

[Seal of the International Tribunal]