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International pour
l'ex-Yougoslavie

PRESS RELEASE

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APPEALS CHAMBER

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APPEALS CHAMBER MODIFIES THE CONDITIONS OF RAMUSH HARADINAJ'S PROVISIONAL RELEASE

The Tribunal's Appeals Chamber today issued a majority Decision on Ramush Haradinaj's modified provisional release in which it denied the Prosecution's motion to set aside the Trial Chamber's decision of 12 October 2005 and instead amended that decision.

In its decision of 12 October 2005, the Trial Chamber imposed the following conditions in respect of Ramush Haradinaj's public appearances:

"...the Accused may appear in public and engage in public political activities to the extent UNMIK finds would be important for a positive development of the political and security situation in Kosovo, subject to the prior approval by UNMIK of a request by the Accused regarding each individual activity concerned;

"...the Trial Chamber requires UNMIK to assume responsibility to authorise or deny the Accused's above-referred activities on a case-by-case basis, and to include any such activity in the bi-weekly reports submitted to the Trial Chamber pursuant to the Decision on Provisional Release. UNMIK is also required to indicate any such future activity of the accused in these reports, provided that there is a pending by the accused before UNMIK..."

In its decision delivered today, the Appeals Chamber added the following conditions:

" [...]

- *First, any request from the Accused to UNMIK must also be sent to the Prosecution.*
- *Second, any such requests must be made at least 48 hours before the proposed activity, so the prosecution can have some time to respond.*
- *Third, for each request of the Accused, the Prosecution will have the right to deliver to UNMIK a submission of no more than 400 words, and UNMIK may not grant the request in question without taking the submission into account.*
- *Fourth, any grant of permission from UNMIK to the Accused must (1) contain a reasoned explanation of why it has been granted, (2) be sent to the Prosecution as well, and (3) be transmitted to both parties at least four hours before the contemplated activity is to take place.*
- *Fifth, UNMIK's reports to the Trial Chamber must contain a reasoned explanation of the grounds on which UNMIK based any decision to grant a request made by the Accused..."*

The full text of the decision can be found on the ICTY website at the following address: <http://www.un.org/icty/haradinaj/appeal/decision-e/060310.pdf>

Courtroom proceedings can be followed on the Tribunal's website.

Internet address: <http://www.un.org/icty>

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