

IT-04-84-T  
D22882-D22880  
03 OCTOBER 2007

22882  
AT



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-T  
Date: 3 October 2007  
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding  
Judge Frank Höpfel  
Judge Ole Bjørn Støle

Registrar: Mr Hans Holthuis

Decision of: 3 October 2007

PROSECUTOR

v.

RAMUSH HARADINAJ  
IDRIZ BALAJ  
LAHI BRAHIMAJ

*PUBLIC*

**ORDER TO LIFT THE CONFIDENTIAL STATUS OF THE TRIAL CHAMBER'S  
URGENT DECISION ON RAMUSH HARADINAJ'S MOTION FOR PROVISIONAL  
RELEASE AND ALL RELATED FILINGS**

**Office of the Prosecutor**

Mr David Re  
Mr Gramsci di Fazio  
Mr Gilles Dutertre  
Mr Philip Kearney

**Counsel for Ramush Haradinaj**

Mr Ben Emmerson, QC  
Mr Rodney Dixon  
Ms Susan L. Park

**Counsel for Idriz Balaj**

Mr Gregor Guy-Smith  
Ms Colleen Rohan

**UNITED NATIONS INTERIM  
ADMINISTRATION IN KOSOVO**

**Counsel for Lahi Brahimaj**

Mr Richard Harvey  
Mr Paul Troop

**THE TRIAL CHAMBER**

**NOTING** the Motion on Behalf of Ramush Haradinaj for Urgent Provisional Release filed confidentially on 3 October 2007 (“Motion”), whereby the Defence for Ramush Haradinaj (“Accused”) sought his provisional release on compassionate grounds for a period starting on 3 October 2007 and ending on 7 October 2007;

**NOTING** the Response to Ramush Haradinaj’s Motion for Provisional Release filed confidentially on 3 October 2007 (“Response”), in which the Prosecution submitted that it did not oppose the application but requested that the Trial Chamber impose strict conditions similar to those set out in the Decision on Urgent Defence Motion on Behalf of Ramush Haradinaj for Provisional Release of 16 April 2005 and, in addition, that the Trial Chamber order the Accused not to engage in any political activity for the duration of the provisional release and not make any public statement with the exception of addressing those attending the funeral;

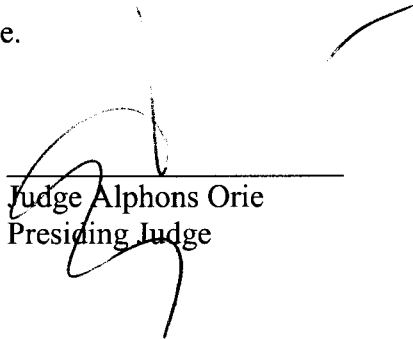
**NOTING** the letter of 2 October 2005 from the Special Representative of the United Nations Secretary-General, Mr. Joachim Rucker, in which UNMIK undertook that, if the Accused was provisionally released, (i) UNMIK officials would collect the Accused from the Tribunal’s security officers on his arrival in Kosovo, (ii) UNMIK would be responsible for him while in Kosovo, including for maintaining order and security at the funeral ceremony, and (iii) on the date ordered for his return to the Tribunal, UNMIK officials would escort the Accused and hand him over to the Tribunal’s security officers in Kosovo for his return to The Hague;

**NOTING** the Trial Chamber’s confidential Decision on Defence Motion on Behalf of Ramush Haradinaj For Urgent Provisional Release of 3 October 2007 (“Decision”), in which the Trial Chamber granted provisional release for Ramush Haradinaj for a period starting on 3 October 2007 and ending on 7 October 2007, for the sole purpose of attending the funeral and post-funeral ceremonies of his late nephew, Shqipton Haradinaj, who died in a road traffic accident on 2 October 2007;

**CONSIDERING** that it is in the interest of justice that all matters in this regard be made public;

**HEREBY ORDERS** the Registrar to lift the confidential status of the Decision and all related filings;

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



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Judge Alphons Orié  
Presiding Judge

Dated this 3rd day of October 2007  
At The Hague  
The Netherlands