



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-T  
Date: 8 November 2012  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Bakone Justice Moloto, Presiding  
Judge Burton Hall  
Judge Guy Delvoie

**Registrar:** Mr. John Hocking

**Decision:** 8 November 2012

**PROSECUTOR**

v.

**RAMUSH HARADINAJ  
IDRIZ BALAJ  
LAHI BRAHIMAJ**

***PUBLIC***

**DECISION ON PROSECUTION'S REQUEST TO LIFT THE  
CONFIDENTIAL STATUS OF THE "DECISION ON  
PROSECUTION REQUEST TO FILE PUBLIC REDACTED  
VERSION OF FINAL TRIAL BRIEF, NOTIFICATION OF  
CORRIGENDUM TO FINAL TRIAL BRIEF AND REQUEST  
TO LIFT THE UNDER SEAL STATUS OF AN EXHIBIT"**

**The Office of the Prosecutor:**

Mr. Paul Rogers

**Counsel for the Accused:**

Mr. Ben Emmerson QC 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

**THIS TRIAL CHAMBER** (“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 (“Tribunal”);

**BEING SEISED** of the “Request to Lift the Confidential Status of the ‘Decision on Prosecution Request to File Public Redacted Version of Final Trial Brief, Notification of Corrigendum to Final Trial Brief and Request to Lift the Under Seal Status of an Exhibit’” filed confidentially by the Office of the Prosecutor (“Prosecution”) on 5 September 2012 (“Request”);

**NOTING** that none of the Accused filed a response to the Request;

**RECALLING** its “Decision on Prosecution Request to File Public Redacted Version of Final Trial Brief, Notification of Corrigendum to Final Trial Brief and Request to Lift the Under Seal Status of an Exhibit” dated 29 August 2012 and issued confidentially on 30 August 2012 (“Decision of 30 August 2012”);

**NOTING** that in its Request the Prosecution requests that the Chamber lifts the confidential status of the Decision of 30 August 2012 so that the jurisprudence from that decision can be relied upon in other cases;<sup>1</sup>

**CONSIDERING** that nothing in the content of the Decision of 30 August 2012 requires that it remains confidential or that any redactions be made to the content;

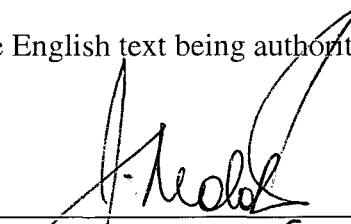
**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence;

**GRANTS** the Request; and

**ORDERS** the Registry to lift the confidential status of the Decision of 30 August 2012.

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

  
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Judge Bakone Justice Moloto  
Presiding Judge

<sup>1</sup> Request, para. 2.

Dated this eighth day of November 2012  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**