

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-04-84-R77.2

IN TRIAL CHAMBER I

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

Registrar: Mr Hans Holthuis

Date Filed: 12 November 2007

THE PROSECUTOR

v.

Avni KRASNIQI

PUBLIC

PROSECUTION'S FILING OF A CORRECTED INDICTMENT

The Office of the Prosecutor:

Ms Carla Del Ponte
Mr David Re

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

THE PROSECUTOR

v.

Avni KRASNIQI

PUBLIC

PROSECUTION'S FILING OF A CORRECTED INDICTMENT

1. The Prosecution files a corrected indictment against Avni Krasniqi for contempt. The version filed on 5 November contained a typographical error in its reference to the case number of the *Haradinaj* case. The corrected version is annexed.

Word Count: 58



David Re
Senior Trial Attorney

12 November 2007
The Hague
The Netherlands

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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ANNEX TO

PROSECUTION'S FILING OF A CORRECTED INDICTMENT

Indictment against Avni Krasniqi

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-04-84-R77.2

**THE PROSECUTOR OF THE TRIBUNAL
AGAINST**

AVNI KRASNIQI

INDICTMENT

The Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia, and Rule 77 of the Rules of Procedure and Evidence of the International Criminal Tribunal for the former Yugoslavia, charges:

AVNI KRASNIQI

with

CONTEMPT OF THE TRIBUNAL

THE ACCUSED

Avni Krasniqi, was born on 18 May 1969 in Vranoc in the municipality of Peć in Kosovo.

CHARGES

CONTEMPT OF THE TRIBUNAL

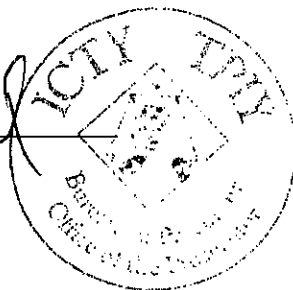
1. On 29 October 2007, **Avni Krasniqi** committed contempt of the Tribunal by knowingly and wilfully interfering with the administration of justice by failing to comply with an order to appear before the Trial Chamber in the case of Prosecutor v. Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj, Case No. IT-04-84-T, without just excuse.

2. On 19 October 2007, the Trial Chamber issued a *subpoena ad testificandum* against **Avni Krasniqi** and ordered him to appear to testify before the Tribunal on 29 October 2007.
3. On 23 October 2007, a Prosecution investigator informed **Avni Krasniqi** by telephone that the *subpoena* had been issued against him. On 24 October 2007, the investigator went to **Avni Krasniqi**'s home and gave him a copy of the *subpoena*. **Avni Krasniqi** refused to sign the receipt of the *subpoena* but gave the investigator a handwritten explanation for his unwillingness to testify. The investigator explained to **Avni Krasniqi** the availability of protective measures but he insisted that he was not willing to testify.
4. On 25 October 2007, an UNMIK official served the *subpoena* on **Avni Krasniqi**, who received it, but refused to sign the memorandum of service and repeated that he was not willing to testify.
5. On 29 October 2007, **Avni Krasniqi** failed to appear before the Trial Chamber without just excuse.

By these acts and omissions, **Avni Krasniqi** committed Contempt of the Tribunal, punishable under the Tribunal's inherent powers under Rule 77 (A) (iii) of the Rules of the Tribunal.



Carla Del Ponte
Prosecutor



Dated 12 November 2007
The Hague
The Netherlands