

IT-04-84-T  
D25757 - D25759  
10 DECEMBER 2007

25757-01P

UNITED  
NATIONS



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: 10 December 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: 10 December 2007

PROSECUTOR

v.

RAMUSH HARADINAJ  
IDRIZ BALAJ  
LAHI BRAHIMAJ

*PUBLIC*

NOTIFICATION TO UNMIK OF THE OPPORTUNITY TO BE HEARD ON THE  
MOTION OF LAHI BRAHIMAJ FOR TEMPORARY PROVISIONAL RELEASE  
DURING RECESS PERIOD

**Office of the Prosecutor**

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

**United Nations Interim  
Administration Mission  
in Kosovo (UNMIK)**

**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

**Counsel for Lahi Brahimaj**

Mr Richard Harvey  
Mr Paul Troop

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**TRIAL CHAMBER I** (“Trial 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 Motion on Behalf of Lahi Brahimaj for Temporary Provisional Release During Recess Period of 7 December 2007 (“Motion”);

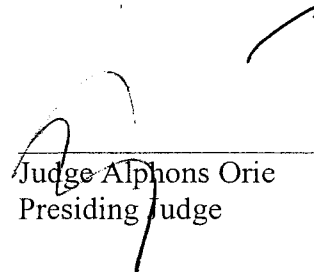
**CONSIDERING** that the Trial Chamber may order release of the accused, if it is satisfied that the accused will appear for trial and, if released, will not pose a danger to any victim, witness or other person;

**CONSIDERING** Rule 65(B) of the Tribunal’s Rules of Procedure and Evidence, pursuant to which the Trial Chamber is obliged to give the State to which an accused seeks to be released an opportunity to be heard;

**CONSIDERING** that, according to Security Council Resolution 1244 of 10 June 1999, UNMIK is entrusted with ensuring public safety and order in Kosovo, and therefore UNMIK should be given an opportunity to be heard on the Motion;

**INVITES** the responsible authorities of UNMIK to make their submissions by Thursday **13 December 2007, close of business** and to address any issue they deem relevant for the Trial Chamber to reach an informed decision on this matter.

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

  
 Judge Alphons Orié  
 Presiding Judge

Dated this 10th day of December 2007  
 At The Hague  
 The Netherlands

[Seal of the Tribunal]

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