

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

IT-04-84-T  
01 NOVEMBER 2007

Registrar: Mr. Hans Holthuis, Registrar

### Public Order

The Prosecutor  
v.  
Ramush HARADINAJ  
Idriz BALAJ  
Lahi BRAHIMAJ

### Order to Redact the Public Transcript and the Public Broadcast of a Hearing

The Trial Chamber

( At the request of the Prosecutor / Defence and with the agreement of the parties )

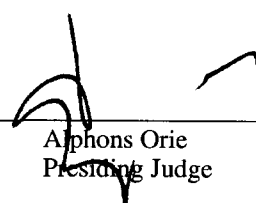
ORDERS that the following blacked-out text be omitted from the public transcript of the hearing dated 30 October 2007 and be edited from the public broadcast of this hearing.

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9 14:28:59 that it is in the interests of justice to hear the witness via  
10 14:29:04 videoconference link. The motion is therefore granted.  
11 14:29:08 This concludes the Chamber's decision.  
12 14:29:14 Mr. Emerson.  
13 14:29:15 MR. EMERSON: Yes. I wonder if I just might briefly before the  
14 14:29:19 next witness is brought in raise one or two matters which have  
15 14:29:24 previously been raised and during the course of procedural argument  
16 14:29:28 just prior to the time when the witness was last due to be called.  
17 14:29:32 There is, as I understand it, no application for protective  
18 14:29:34 measures in respect of this witness, and so I shall use his name. His  
19 14:29:41 name is Pjeter Shala, and as Your Honours know, he is named in the  
20 14:29:44 indictment as a member, alleged, of the joint criminal enterprise that  
21 14:29:52 the Prosecution alleges here. So as, in effect, to bring him within  
22 14:29:58 alleged responsibility for all crimes alleged on the indictment, as  
23 14:30:01 well as specific allegations of participation, which he in suspect  
24 14:30:10 interviews in the past has denied.  
25 14:30:13 The position as we understand it is as follows: The  
3:1 14:30:16 Prosecution currently contends that Mr. Shala directly participated in  
2 14:30:26 two crimes alleged on the indictment; that is to say -- or two pairs of  
3 14:30:33 crimes; that is to say, counts 33 and 34 ^, the alleged abduction of  
4 14:30:39 [REDACTED] and another, and one of the subcounts in count 22, the  
5 14:30:46 alleged abduction and murder of Stravko ^ Rejdanovic ^, both of which,  
6 14:30:57 as I indicated a moment ago, the witness denied in interviews ^ in 2005  
7 14:31:02 and then by Mr. Di Fazio as a suspect interview in 2007, in May of this  
8 14:31:07 year.  
9 14:31:07 I raised a number of issues arising out of this slightly  
10 14:31:11 unusual situation in argument at an earlier stage, and I have, purely  
11 14:31:18 for convenience, provided the Chamber with a paper copy of an extract  
12 14:31:22 from the transcript.  
13 14:31:24 The first question which arises is the question of caution in  
14 14:31:28 respect of a witness who is being called by the Prosecution when it is  
15 14:31:34 alleged that he's a member of the JCE and indeed when he denies the  
16 14:31:39 allegations that the Prosecution contend he is responsible for.

The blacked-out text, as identified by the passages prior and subsequent thereto, is confidential. Any person or organization, including media organizations, which has possession of the public recording of all or the relevant portion of the proceeding containing the confidential information is hereby enjoined from disclosing it to any other person(s) or organization(s) as of the date and time this order is received. The failure to conform may result in contempt charges being issued by the Tribunal against the disclosing person or organization.

  
Alphons Orie  
Presiding Judge