



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: 2 May 2012
Original: English

IN TRIAL CHAMBER II

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

Registrar: Mr. John Hocking

Decision: 2 May 2012

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

PUBLIC

**ORDER RELEASING ZORAN STIJOVIĆ FROM WITNESS
STAND**

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”);

NOTING that on 24 and 25 August 2011 Mr. Zoran Stijović (“the witness”) testified before the Chamber;

NOTING that on 24 and 25 August 2011 Balaj and Brahimaj reserved their right to cross-examine the witness and were of the position that they may recall him for cross-examination at a later stage;¹

NOTING that on 25 August 2011 Mr. Stijović was informed by the Chamber’s Presiding Judge that he was still on the witness-stand and that he was not to discuss his evidence with anyone, particularly members of the Office of the Prosecutor (“Prosecution”), until he is finally excused;²

NOTING that on 20 March 2012 the Chamber informally requested the Accused to state whether they still intend to recall the witness for cross-examination;

NOTING that on 20 April 2012 the Prosecution closed its case;³

NOTING that on 25 April 2012 and 26 April 2012 Counsel for, respectively, Balaj and Brahimaj informally notified the Chamber that they do not wish to recall the witness for further cross-examination;

NOTING the position expressed by Balaj and Brahimaj, during the Status Conference of 2 May 2012, that they do not need the further presence of the witness for cross-examination;⁴

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence

HEREBY ORDERS that the witness be released from the witness stand.

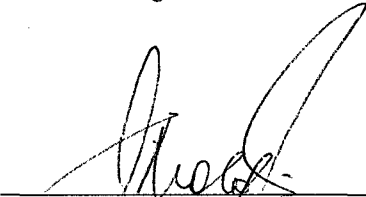
¹ *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-T, T. 511, 594-595.

² *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-T, T. 623-624.

³ *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-T, T. 2715.

⁴ *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-T, T. 2735.

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



Judge Bakone Justice Moloto
Presiding Judge

Dated this second day of May 2012
At The Hague
The Netherlands

[Seal of the Tribunal]