

Y-06-90-T
D 13078 - D 13077
01 August 2008

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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-06-90-T
Date: 1 August 2008
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Uldis Ķinis
Judge Elizabeth Gwaunza

Registrar: Mr Hans Holthuis

Order of: 1 August 2008

PROSECUTOR

v.

**ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ**

PUBLIC

**ORDER TO LIFT THE CONFIDENTIAL STATUS OF THE DECISION ON IVAN
ČERMAK'S MOTION FOR PROVISIONAL RELEASE**

Office of the Prosecutor

Mr Alan Tieger
Mr Stefan Waespi

Counsel for Ante Gotovina

Mr Luka Mišetić
Mr Gregory Kehoe
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay, QC
Mr Andrew Cayley
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić
Mr Tomislav Kuzmanović

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TRIAL CHAMBER I (“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 the Chamber’s Decision on Mr Čermak’s Motion for Provisional Release, filed confidentially on 18 July 2008 (“Decision”);¹

NOTING Ivan Čermak’s Notice Concerning the Confidential Decision of the Trial Chamber of 18 July 2008 Granting Ivan Čermak Provisional Release, filed on 31 July 2008 (“Notice”);

CONSIDERING that the Decision was filed confidentially in order to preserve the private nature of the provisional release of Mr Čermak;

CONSIDERING that the Chamber has recently received information that news of Mr Čermak’s provisional release has entered the public domain;

CONSIDERING that the Čermak Defence has no objection to lifting the confidential status of the Decision;²

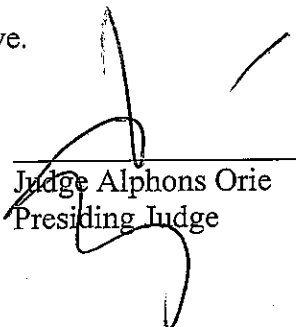
CONSIDERING that, under these circumstances, retaining the confidential status of the Decision would not serve the purpose for which confidentiality was originally ordered;

FINDS no other reason why the Decision should remain confidential;

PURSUANT to Rule 54 of the Tribunal’s Rules of Procedure and Evidence;

REQUESTS the Registry to lift the confidential status of the Decision.

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



Judge Alphons Orie
Presiding Judge

Dated this first day of August 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ D12850-D12839.

² Notice, para. 4.