

**UNITED
NATIONS**



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-04-75-T
Date: 5 December 2012
Original: English

IN THE TRIAL CHAMBER

Before: Judge Guy Delvoie, Presiding
Judge Burton Hall
Judge Antoine Kesia-Mbe Mindua

Registrar: Mr. John Hocking

Order: 5 December 2012

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**ORDER ON FILING OF PUBLIC REDACTED WITNESS STATEMENTS AND
TRANSCRIPTS OF PRIOR TESTIMONY OF PROTECTED WITNESSES**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for Goran Hadžić:

Mr. Zoran Živanović

Mr. Christopher Gosnell

1. **THIS 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”) hereby issues *ex proprio motu* this order regarding the filing of public redacted witness statements and transcripts of prior testimony of protected witnesses.

2. The Trial Chamber notes that the written statements of witnesses GH-099, GH-067, GH-058,¹ and the transcript of prior testimony of GH-015,² all admitted pursuant to Rule 92 *ter* of the Rules, are under seal to protect the identity of the witnesses, all of whom enjoy, *inter alia*, the protective measure of a pseudonym in these proceedings.

3. Pursuant to Rule 78 of the Rules, all proceedings before a Trial Chamber, other than deliberations of the Chamber, shall be held in public. The Chamber therefore considers it appropriate that the evidence of protected witnesses in this case, excluding those witnesses who have been granted the protective measure of closed session testimony, be publicly available to the extent possible.

4. Accordingly, the Trial Chamber, *ex proprio motu* and pursuant to Rules 54, 75, and 78 of the Rules, hereby


- (a) **ORDERS** the Prosecution to upload to and release in eCourt—by no later than 29 January 2013—public redacted versions of the following exhibits: P128, P245, P246, P247, P281, and P285, and to file a notice on the official record of the proceedings when it has done so, after which the public redacted versions shall be deemed admitted into evidence;
- (b) **ORDERS** the Prosecution, on an on-going basis, to tender—at the time the witness appears in court—a public redacted version of any written statement or transcript of prior testimony of that witness (tendered in accordance with Rule 92 *ter*), where the witness has the protective measure of a pseudonym (excluding closed session witnesses); and

¹ P128, P281, P285.

² P245, P246, P247.

(c) **INSTRUCTS** the Registry to take all necessary measures to implement this decision.

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



Judge Guy Delvoic
Presiding

Dated this fifth day of December 2012,
At The Hague,
The Netherlands.

[Seal of the Tribunal]