

**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: 4 December 2013
Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. John Hocking

Order: 4 December 2013

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

ORDER CONCERNING CONFIDENTIALITY OF RULE 54 *bis* EXHIBITS

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”) *ex proprio motu* issues the following order in relation to the “Prosecution Notice Concerning Confidentiality of Rule 54 *bis* Exhibits”, filed on 2 December 2013 (“Notice”).

2. In the Notice, the Prosecution informs the Chamber that it was notified by the Government of the Republic of Serbia on 25 November 2013 that protective measures are no longer required for four exhibits admitted under seal through the bar table decision and one exhibit admitted under seal through a witness.¹ The Prosecution seeks the assistance of the Registry to modify the confidentiality status of the exhibits.²

3. The Chamber reminds the Prosecution that, should it wish to alter the confidentiality status of admitted exhibits, it must seek leave of the Chamber to do so, rather than requesting the assistance of the Registry. In order to expedite this matter due to the forthcoming Rule 98 *bis* proceedings, the Trial Chamber will *ex proprio motu* alter the confidentiality status of the exhibits.

4. Accordingly, the Trial Chamber, *ex proprio motu* and pursuant to Rules 54, 54 *bis*, and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby **ORDERS** as follows:

- (a) The Registry shall designate Rule 65 *ter* numbers 01191.1, 01390, 01772, and 01827 as public exhibits.
- (b) The Registry shall alter the confidentiality status of exhibit P1878 from confidential to public.
- (c) The Prosecution and the Registry shall ensure—by no later than 12 December 2013—that the eCourt metadata accompanying the foregoing documents is amended, where necessary.

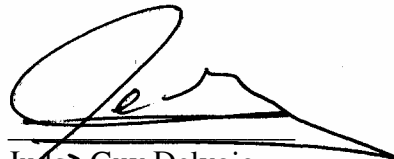
¹ Notice, paras 1-2. *See* Decision on Prosecution Bar Table Motion, 28 November 2013, para. 234(d)(i) and Decision on Prosecution Motion for Admission of Exhibits Cited in Expert Report of Christian Nielsen, 9 May 2013, para. 64(d).

² Notice, paras 1-2.

- (d) The Prosecution shall—by no later than 13 December 2013—file a written notice on the official record of the proceedings certifying that the actions in foregoing paragraphs 4(a)–(c) have been accomplished.

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

Done this fourth day of December 2013,
At The Hague,
The Netherlands.



Judge Guy Delvoie
Presiding

[Seal of the Tribunal]