

**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-95-5/18-AR73.13
Date: 6 February 2015
Original: English

IN THE APPEALS CHAMBER

Before: Judge Khalida Rachid Khan, Presiding
Judge William H. Sekule
Judge Mehmet Güney
Judge Bakhtiyar Tuzmukhamedov
Judge Koffi Kumelio A. Afande

Registrar: Mr. John Hocking

Decision of: 6 February 2015

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON REQUEST FOR RECLASSIFICATION OF FILINGS
RELATING TO APPEAL OF INDIGENCE DECISION**

The Accused:
Mr. Radovan Karadžić

THE APPEALS 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 (“Appeals Chamber” and “Tribunal”, respectively),

NOTING the “Decision on Appeal from Decision on Indigence”, issued confidentially and *ex parte* by the Appeals Chamber on 25 July 2014 (“Decision”);

BEING SEIZED of the “Request for Reclassification of Filings Relating to Appeal of Indigence Decision” filed confidentially and *ex parte* by Radovan Karadžić (“Karadžić”) on 9 December 2014¹ (“Motion”);

NOTING Karadžić’s request that the Appeals Chamber reclassify as public the confidential and *ex parte* materials filed in relation to the Decision which are listed in Annex A of the Motion, namely the: (i) “Deputy Registrar’s Notice Regarding the Accused’s Appeal from Decision on Indigence” filed confidentially and *ex parte* by the Registry on 23 April 2014; (ii) “Motion to Strike Registrar’s Submission and for Extension of Time to Reply” filed confidentially and *ex parte* by Karadžić on 13 May 2014; (iii) “Deputy Registrar’s Submission Regarding Radovan Karadžić’s Motion to Strike Registrar’s Submission and for Extension of Time for Reply” filed confidentially and *ex parte* by the Registry on 16 May 2014; (iv) “Decision on Motion to Strike Registrar’s Submission and for Extension of Time to Reply” issued confidentially and *ex parte* by the Appeals Chamber on 16 May 2014 (“Relevant Filings”, collectively); and (v) “Order Assigning Judges to a Case before the Appeals Chamber” issued confidentially and *ex parte* by the President of the Tribunal on 24 April 2014 (“Order Assigning Judges”);²

NOTING the “Deputy Registrar’s Submission Regarding Karadžić’s Request for Reclassification of Filings Relating to Appeal of Indigence Decision” filed confidentially and *ex parte* by the Registry on 9 January 2015 (“Registry’s Submission”), in which the Registry submits that it does not object to the reclassification as public of the confidential and *ex parte* materials listed in Annex A of the Motion;³

CONSIDERING that the public redacted version of the Decision was issued by the Appeals Chamber on 2 December 2014;⁴

¹ This includes a confidential and *ex parte* Annex A.

² Motion, paras 1, 2, 4, Annex A. Karadžić further requests the Appeals Chamber to reclassify the Motion as public. *See* Motion, fn. 1.

³ Registry’s Submission, para. 2.

⁴ Public Redacted Version of the 25 July 2014 Decision on Appeal from Decision on Indigence, 2 December 2014.

CONSIDERING that no reason exists for the contents of the Motion and Relevant Filings to remain confidential and *ex parte*;

CONSIDERING that the Order Assigning Judges was issued by the President of the Tribunal;

FINDING, therefore, that the Appeals Chamber is not competent to decide on Karadžić's request relating to the Order Assigning Judges;

FOR THE FOREGOING REASONS,

GRANTS the Motion, in part;

INSTRUCTS the Registry of the Tribunal to reclassify as public the Relevant Filings and the Motion;

DISMISSES the Motion in all other respects.

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

Dated this 6th day of February 2015
At The Hague
The Netherlands



Judge Khalida Rachid Khan
Presiding Judge

[Seal of the Tribunal]