

**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-T

Date: 30 November 2009

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Order of: 30 November 2009

PROSECUTOR

v.

RADOVAN KARADŽIĆ

CONFIDENTIAL

ORDER GRANTING LEAVE TO DISCLOSE

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Appointed Counsel

Mr. Richard Harvey

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”);

NOTING the confidential “Prosecution Motion for Leave to Disclose a Confidential Decision”, filed on 26 November 2009 (“Motion”), in which the Office of the Prosecutor (“Prosecution”) requests leave to disclose to representatives of the United Nations Office of Legal Affairs and the Department of Peacekeeping Operations (“UN”) a confidential decision issued by the Trial Chamber on 24 November 2009, that is, the “Decision on Prosecution’s Motion for Protective Measures for Witness KDZ487” (“Decision”);

NOTING that the Decision relates to a request by the Prosecution for the granting of Rule 70 conditions to witness KDZ487, who is currently employed by the UN;¹

NOTING the Prosecution’s submissions that the Decision does not contain any information that should not be disclosed to the UN, and that the Decision was filed confidentially because it revealed KDZ487’s identity;

CONSIDERING that, due to the nature of the Prosecution’s request, it is not necessary to hear from the Accused in this matter;


CONSIDERING that the UN has an interest in this matter and that, therefore, the Prosecution’s request should be granted;

PURSUANT TO Rule 54 of the Tribunal’s Rules of Procedure and Evidence,

¹ Confidential Prosecution’s Motion for Protective Measures for Witness KDZ487, 15 October 2009.

HEREBY GRANTS leave to the Prosecution to disclose the Decision, along with this Order, to representatives of the UN on a confidential basis.

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



Judge O-Gon Kwon
Presiding

Dated this thirtieth day of November 2009
At The Hague
The Netherlands

[Seal of the Tribunal]