



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-R77.1

Date: 25 February 2011

Original: English

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**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:** 25 February 2011

**IN THE CONTEMPT CASE OF BERKO ZEČEVIĆ**

*Public*

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**ORDER TO VACATE THE ORDER IN LIEU OF INDICTMENT**

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**Counsel for Berko Zečević:**

Mr. Guenael Mettraux

**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 Order in Lieu of Indictment in the *Contempt Case of Berko Zečević*, issued by the Chamber on 4 February 2011 (“Order in Lieu of Indictment”);<sup>1</sup>

**NOTING** the Decision on Motion for Withdrawal of Order Lieu of Indictment, issued by the Chamber on 18 February 2011, suspending the Order in Lieu of Indictment and the Order for Detention on Remand dated 17 February 2011, until further order;<sup>2</sup>

**NOTING** that Berko Zečević completed his testimony in the case of *Prosecutor v. Karadžić*, Case No. IT-95-5/18-T, on 24 February 2011;

**CONSIDERING** that it is not in the interests of justice to continue with contempt proceedings against Berko Zečević;

**PURSUANT TO** Rules 54 and 77 of the Rules of Procedure and Evidence of the Tribunal;

**HEREBY VACATES** the Order in Lieu of Indictment and the Order for Detention on Remand dated 17 February 2011.

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




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Judge O-Gon Kwon  
Presiding

Dated this twenty-fifth day of February 2011  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

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<sup>1</sup> Order in Lieu of Indictment, 4 February 2011, made public on 15 February 2011.

<sup>2</sup> Decision on Motion for Withdrawal of Order in Lieu of Indictment, 18 February 2011.