



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: 4 May 2015

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

Decision of: 4 May 2015

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON ACCUSED'S REQUEST FOR PUBLIC REDACTED VERSION OF
DECISION ON ACCUSED'S MOTION TO SUBPOENA WITNESS KW540**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

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”);

BEING SEISED of the “Request for Filing of Public Redacted Version of Decision on Accused’s Motion to Supboena Witness KW540” filed confidentially on 20 March 2015 (“Request”), wherein the Accused requests that the Chamber issue a public redacted version of the “Decision on Accused’s Motion to Supboena Witness KW540” issued confidentially on 3 February 2014 (“KW540 Decision”);¹

NOTING that the Accused submits that the KDZ540 Decision is of importance to international criminal jurisprudence and that a public redacted version will facilitate reference to it in any appeal from the Chamber’s final judgement;²

NOTING further that the Accused seeks that the Request be reclassified as public should the Chamber grant it;³

NOTING the “Prosecution Reponse to Request for Filing of Public Redacted Version of Decision on Accused’s Motion to Supboena Witness KW540” filed confidentially on 2 April 2015 (“Response”) wherein the Office of the Prosecutor (“Prosecution”) states that it does not oppose the Request in principle but submits that additional redactions should be made to the KW540 Decision in order for KW540’s protective measures to be safeguarded;

CONSIDERING further that save for portions which should remain confidential to protect the identity of KW540, it is in the interests of justice and of a public trial that the KW540 Decision be made public;

FOR THE FOREGOING REASONS

HEREBY

a) **GRANTS** the Request in part;

b) **DECIDES** that it shall issue a public redacted version of the KW540 Decision;

¹ The Accused appends a proposed public redacted version of the KW540 Decision in confidential Annex A to the Request.

² Request, paras. 2–5.

³ Request, para. 6.

c) **ORDERS** the Registry to reclassify the Request as public, while maintaining the confidentiality of Annex A to the Request; and

d) **ORDERS** the Prosecution to file a public redacted version of the Response as soon as practicable.

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



Judge O-Gon Kwon
Presiding

Dated this fourth day of May 2015
At The Hague
The Netherlands

[Seal of the Tribunal]