



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: 15 May 2014

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: 15 May 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**FURTHER ORDER ON ITEMS PREVIOUSLY
MARKED FOR IDENTIFICATION**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby 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”);

RECALLING the “Decision on Accused’s Motions to Admit Intercepts from Bosnia and Herzegovina Previously Marked for Identification or as Not Admitted” issued by the Chamber on 26 February 2014 (“First Decision”), wherein it *inter alia* stayed its decision on the admission of MFI D4059 pending the upload of the English translation by the Accused;¹

RECALLING the “Decision on Accused’s Motions for Admission of Items Previously Marked for Identification” issued on 7 May 2014 (“Second Decision”), wherein it admitted into evidence a number of items previously marked for identification, including MFI D4303 and D4305;²

CONSIDERING that having reviewed the documents uploaded into e-court for MFI D4059, including the English translation which has now been uploaded and the relevant transcript, it is satisfied that MFI D4059 can now be admitted;

CONSIDERING that D4303 was marked for identification under seal and could reveal the identity of a protected witness,³ and thus should be admitted under seal;

CONSIDERING that MFI D4304 was marked for identification under seal pending English translation,⁴ and that D4305 is the public redacted version of MFI D4304;⁵

FURTHER CONSIDERING that having reviewed the documents uploaded into e-court for MFI D4304, including the English translation which has now been uploaded along with the relevant transcript, it is satisfied that MFI D4304 should now be admitted under seal;

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

¹ First Decision, paras. 7, 12(d).

² Second Decision, paras. 26, 29, 31(a).

³ T. 46701 (6 February 2014).

⁴ T. 46705 (6 February 2014).

⁵ T. 46705–46706 (6 February 2014). The Chamber notes, however, that the Accused did not request the admission of MFI D4304. *See* Motion to Admit Documents Previously Marked for Identification, 17 March 2014, para. 12.

HEREBY:

- a) **ADMITS** into evidence the item currently marked as MFI D4059 publicly;
- b) **ADMITS** into evidence the document currently marked as MFI D4304 under seal;
and
- c) **INSTRUCTS** the Registry to mark D4303 as having been admitted under seal.

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



Judge O-Gon Kwon
Presiding

Dated this fifteenth day of May 2014
At The Hague
The Netherlands

[Seal of the Tribunal]