



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: 20 June 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: 20 June 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**ORDER ON ACCUSED'S SUBMISSION ON THE STATUS OF EXHIBITS D4780, D4783,
D4784, D4785, AND D4881**

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”);

BEING SEISED of the Accused’s “Submission on Status of Exhibits D4780, D4783, D4784, D4785, and D4881”, filed on 8 May 2014 (“Submission”);

NOTING that in its “Decision on Accused’s Bar Table Motion: Municipality Component Documents”, issued on 14 April 2014, the Chamber admitted 65 *ter* 1D28086, 1D28080, 1D28081, 1D28083, and 1D71001 (collectively, “Documents”) provisionally under seal and ordered the Accused to file a further submission on the permanent public or confidential status of the Documents no later than 26 May 2014;¹

NOTING the Submission according to which, on 17 April 2014, the Accused requested the Government of Serbia (“Serbia”) to file a motion for a protective order prior to 30 April 2014 should the Documents need to remain confidential, and that, to date, no such motion has been filed;²

NOTING that the Office of the Prosecutor did not respond to the Submission;

NOTING the Accused’s “Second Submission on Status of Exhibits D4780, D4783, D4784, D4785, and D4881” (“Second Submission”), which was filed on 17 June 2014 in response to the Chamber’s request to clarify whether the Documents had been part of any prior Rule 54 *bis* litigation before this Chamber,³ in which the Accused clarified that they had not;⁴

CONSIDERING that the Documents have not previously been the subject of any application for protective measures under Rule 54 *bis*, and that in the absence of any indication from Serbia to the contrary, there is no apparent reason to maintain the confidentiality of the Documents, and they can therefore be reclassified as public;

¹ Decision on Accused’s Bar Table Motion: Municipality Component Documents, paras. 161(b), 161(d), Annex A, (admitting 65 *ter* 1D28086 as D4780, 1D28080 as D4783, 1D28081 as D4784, 1D28083 as D4785, and 1D71001 as D4881), and confidential Annex B.

² Submission, paras. 2–3.

³ Email from Chamber’s Legal Officer dated 12 June 2014 at 9:59 a.m.

⁴ Second Submission, para. 2. The Accused also confirmed that, as requested by the Chamber, he had liaised with the Prosecution, which concurred with his answer. Second Submission, para. 3.

FOR THE FOREGOING REASONS,

PURSUANT to Rule 54 of the Rules,

INSTRUCTS the Registry to change the status of D4780, D4783, D4784, D4785, and D4881 from provisionally under seal to public.

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



Judge O-Gon Kwon
Presiding

Dated this twentieth day of June 2014
At The Hague
The Netherlands

[Seal of the Tribunal]