



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-05-88-T

Date: 3 June 2010

Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Carmel Agius, Presiding  
Judge O-Gon Kwon  
Judge Kimberly Prost  
Judge Ole Bjørn Støle – Reserve Judge

**Registrar:** Mr. John Hocking

**Order of:** 3 June 2010

**PROSECUTOR**

v.

**VUJADIN POPOVIĆ  
LJUBIŠA BEARA  
DRAGO NIKOLIĆ  
LJUBOMIR BOROVIČANIN  
RADIOVOJE MILETIĆ  
MILAN GVERO  
VINKO PANDUREVIĆ**

***PUBLIC***

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**ORDER ON OUTSTANDING DOCUMENTS MARKED FOR  
IDENTIFICATION AND ON PUBLIC REDACTED VERSIONS OF THE  
FINAL BRIEFS**

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**Office of the Prosecutor**

Mr. Peter McCloskey

**Counsel for the Accused**

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović  
Mr. John Ostojić and Mr. Predrag Nikolić for Ljubiša Beara  
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić  
Mr. Christopher Gosnell and Ms. Tatjana Čmerić for Ljubomir Borovčanin  
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić  
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero  
Mr. Peter Haynes and Mr. Simon Davis for Vinko Pandurević

**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** that documents P03573, P04104, 3D00565, and 3D00567 remain marked for identification at this late stage of the proceedings;

**CONSIDERING** the need for certainty in relation to the admission status of all documents in the case;

**RECALLING** the Trial Chamber’s standpoint that public redacted versions of the Parties’ Final Briefs be filed;<sup>1</sup>

**NOTING** that save for the Borovčanin Final Brief<sup>2</sup> and Chapter 14 of the Prosecution Final Brief,<sup>3</sup> none of the Final Briefs have yet been filed publicly;

**CONSIDERING** that confidential filings should be the exception, in the light of the Accused’s right to a public trial and the general public’s right to information;

**PURSUANT TO** Articles 21 and 22 of the Statute, Rules 54, 86(B) and 89 of the Rules,

**HEREBY ORDERS** as follows:

1. Documents P03573, P04104, 3D00565, and 3D00567, and any other documents still marked for identification, shall be marked as “not admitted” in eCourt.
2. The Parties, except for Borovčanin, shall file a public, redacted version of their respective final briefs by 31 July 2010.

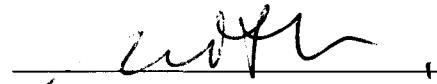
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<sup>1</sup> On 8 September 2009, the Trial Chamber invited all Parties in the public interest to file their respective final briefs publicly. *See* T. 34407–34408 (8 September 2009).

<sup>2</sup> A redacted, corrected version was filed on 23 April 2010.

<sup>3</sup> On 8 September 2009, the Trial Chamber orally admitted the public version of Chapter 14, Sentencing, of the Prosecution Final Brief into evidence.

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



Carmel Agius  
Presiding

Dated this third day of June 2010  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**