

**UNITED
NATIONS**



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-04-74-A

Date: 10 November 2015

Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge

Registrar: Mr. John Hocking

Decision of: 10 November 2015

PROSECUTOR

v.

**JADRANKO PRLIĆ
BRUNO STOJIĆ
SLOBODAN PRALJAK
MILIVOJ PETKOVIĆ
VALENTIN ĆORIĆ
BERISLAV PUŠIĆ**

PUBLIC

**DECISION ON PROSECUTION MOTION TO
RECLASSIFY EXHIBIT P02921 AS PUBLIC**

The Office of the Prosecutor:

Mr. Douglas Stringer

Ms. Laurel Baig

Ms. Barbara Goy

Counsel for the Accused:

Mr. Michael G. Karnavas and Ms. Suzana Tomanović for Mr. Jadranko Prlić

Ms. Senka Nožica and Mr. Karim A. A. Khan for Mr. Bruno Stojić

Ms. Nika Pinter and Ms. Natacha Fauveau-Ivanović for Mr. Slobodan Praljak

Ms. Vesna Alaburić and Mr. Davor Lazić for Mr. Milivoj Petković

Ms. Dijana Tomašegović-Tomić and Mr. Dražen Plavec for Mr. Valentin Ćorić

Mr. Fahrudin Ibrišimović and Mr. Roger Sahota for Mr. Berislav Pušić

I, Theodor Meron, Judge of the Appeals 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 (“Appeals Chamber” and “Tribunal”, respectively), and Pre-Appeal Judge in the *Prlić et al.* case;

BEING SEISED of the “Motion to Reclassify Exhibit P02921 as Public”, filed confidentially by the Office of the Prosecutor on 20 October 2015 (“Motion”), requesting that the Appeals Chamber reclassify Exhibit P02921 “as it contains no information justifying its confidential status”;¹

NOTING that the other parties to this case did not respond to the Motion;

RECALLING that, as a general rule, proceedings before the Tribunal shall be public;²

CONSIDERING that the content of Exhibit P02921 was discussed in open court;³


CONSIDERING that there is, thus, no justification for Exhibit P02921 to continue being kept under seal⁴ and that it is in the interests of justice and transparency of the proceedings to reclassify this exhibit as public;

PURSUANT TO Rules 54, 78, and 107 of the Rules;

HEREBY GRANT the Motion and **ORDER** the Registry of the Tribunal to reclassify Exhibit P02921 as public.

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

Done this 10th day of November 2015,
At The Hague,
The Netherlands.



Judge Theodor Meron
Pre-Appeal Judge

[Seal of the Tribunal]

¹ Motion, para. 1. *See also* Motion, paras 2-3.

² *See* Article 20(4) of the Statute of the Tribunal; Rule 78 of the Tribunal’s Rules of Procedure and Evidence (“Rules”). *See also, e.g.*, Decision on the Prosecution’s Urgent Motion to Reclassify Public Briefs and Modify the Public Redacted Briefing Schedule, 8 July 2015, p. 3; *Prosecutor v. Momčilo Krajišnik*, Case No. IT-00-39-A, Decision on Prosecution’s Motion to Lift Seal on Exhibit P152, 8 February 2008, p. 1.

³ *See Prosecutor v. Jadranko Prlić et al.*, Case No. IT-04-74-T, T. 14748, 14753-14756 (27 February 2007).

⁴ *See, e.g., Prosecutor v. Jadranko Prlić et al.*, Case No. IT-04-74-T, Order to Admit Evidence Regarding Witness Josip Praljak, 23 April 2007 (French original filed on 3 April 2007).