



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-03-69-T  
Date: 16 August 2010  
Original: English

IT-03-69-T  
D23862-D23860  
16 August 2010

23862  
SMS

**IN TRIAL CHAMBER I**

**Before:** Judge Alphons Orie, Presiding  
Judge Michèle Picard  
Judge Elizabeth Gwaunza

**Registrar:** Mr John Hocking

**Order of:** 16 August 2010

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

***PUBLIC***

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**ORDER LIFTING CONFIDENTIALITY OF PARTS OF THE  
TRANSCRIPT OF WITNESS JF-025'S TESTIMONY**

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**Office of the Prosecutor**

Mr Dermot Groome

**Counsel for Jovica Stanišić**

Mr Geert-Jan Alexander Knoops  
Mr Wayne Jordash

**Counsel for Franko Simatović**

Mr Mihajlo Bakrač  
Mr Vladimir Petrović

**TRIAL CHAMBER I** (“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** that on 8 July 2010, Witness JF-025, due to technical reasons, testified before the Chamber in private session and without the previously granted protective measures of face and voice distortion;<sup>1</sup>

**RECALLING** that private session testimony was a provisional measure and that the Chamber had announced that, after having heard submissions from the parties, it would lift the confidentiality of parts of the transcript of Witness JF-025’s testimony;<sup>2</sup>

**NOTING** the parties’ joint submission of 16 July 2010 (“Joint Submission”), wherein they identify portions of the transcript that should remain confidential;<sup>3</sup>

**NOTING** that on 20 July 2010, through an informal communication, the Chamber inquired whether five additional portions of the transcript may reveal the identity of the witness and requested the parties to indicate whether they wished to supplement the Joint Submission in this respect;

**NOTING** that on 2 August 2010, the parties supplemented the Joint Submission, pointing to five additional portions of the transcript that ought to be kept confidential;<sup>4</sup>

**CONSIDERING** that lifting the confidentiality of the audio-visual recordings of Witness JF-025’s testimony would reveal his identity and would accordingly be in violation of the previously granted protective measures;

**FINDING** it appropriate to make available to the public the content of those portions of the witness’s testimony which, in the absence of the aforementioned technical problems, would have been heard in open session albeit with the protective measures of pseudonym, face distortion, and voice distortion in effect;

**PURSUANT TO** Rule 54 of the Tribunal’s Rules of Procedure and Evidence;

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<sup>1</sup> T. 6232. The Chamber notes that the witness’s image was further shielded from the public gallery of the Tribunal’s courtroom.

<sup>2</sup> T. 6232-6233.

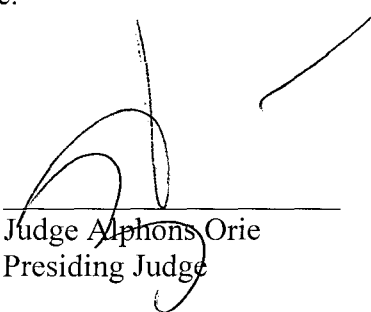
**ORDERS** the Registry to

- (a) lift the confidential status of the following transcript pages of the hearing on 8 July 2010:

6235:09 - 6241:16  
6241:21 - 6242:18  
6243:06 - 6244:01  
6244:08 - 6244:23  
6245:25 - 6248:02  
6249:10 - 6262:01  
6262:21 - 6263:23  
6265:19 - 6274:06  
6277:24 - 6281:20  
6282:04 - 6282:12  
6282:21 - 6285:11  
6285:15 - 6286:03  
6286:18 - 6287:21  
6288:18 - 6291:20  
6291:23 - 6300:16  
6300:19 - 6301:04  
6301:11 - 6302:14  
6302:25 - 6303:21  
6305:13 - 6305:18  
6306:11 - 6306:18

- (b) keep under seal all audio-visual recordings of Witness JF-025's testimony on 8 July 2010.

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



Judge Alphons Orie  
Presiding Judge

Dated this sixteenth day of August 2010  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

<sup>3</sup> Joint Submission on Status of Closed Session Testimony of JF-025, 16 July 2010, para. 3.

<sup>4</sup> Addendum to the Joint Submission on Status of Closed Session Testimony of JF-025, 2 August 2010, para. 5.