



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-08-91-PT
Date: 26 November 2008
Original: English

IN TRIAL CHAMBER II

Before: Judge O-Gon Kwon, Presiding
Judge Kimberly Prost
Judge Ole Bjørn Støle

Registrar: Mr Hans Holthuis

Decision of: 26 November 2008

PROSECUTOR

v.

**MIĆO STANIŠIĆ
STOJAN ŽUPLJANIN**

PUBLIC

ORDER REGARDING ACCESS TO CONFIDENTIAL FILINGS

The Office of the Prosecutor:

Mr Thomas Hannis

Counsel for the Accused:

Mr Slobodan Zečević and Mr Slobodan Cvijetić for Mićo Stanišić
Mr Tomislav Višnjić and Mr Igor Pantelić for Stojan Župljanin

I, Judge Ole Bjørn Støle, Judge at 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 the “Decision on Prosecution’s Motion for Joinder and for Leave to Consolidate and Amend Indictments” (“Joinder Decision”), issued by the Trial Chamber on 23 September 2008, ordering the joinder of the case of *Prosecutor v Mićo Stanišić* and the case of *Prosecutor v Stojan Župljanin*;

NOTING the Certificate issued by the Registrar on 26 September 2008 (“Registrar’s Certificate”) indicating, *inter alia*, that all relevant documents pertaining to the Accused, Mićo Stanišić and Stojan Župljanin, filed in Case Nos IT-04-79, IT-99-36 and IT-99-36/2, shall form part of the new case;

CONSIDERING that a number of documents referred to in the Registrar’s Certificate have been filed by the Office of the Prosecutor (“Prosecution”) on a confidential basis;

NOTING the “Decision on Prosecution’s Motions for Protective Measures for Victims and Witnesses” and the “Order on Prosecution’s Third Motion for Protective Measures for Victims and Witnesses” issued by the Chamber in the case of *Prosecutor v Mićo Stanišić* on 6 June 2005 (“*Stanišić* Decision”) granting a number of protective measures in that case;

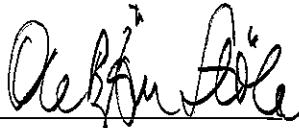
CONSIDERING that pursuant to Rule 75(F)(i) of the Rules of Procedure and Evidence (“Rules”), the protective measures granted in the case of *Prosecutor v Mićo Stanišić* continue to apply *mutatis mutandis* in the present case;

HEREBY ORDER pursuant to Rules 54, 65ter and 75 of the Rules that:

- (1) the “Župljanin Defence” means only the Accused, Stojan Župljanin, and his Defence Counsel and immediate legal assistants and staff, and such other specific persons assigned by or listed with the Registry as part of his defence;
- (2) the Registry shall grant access to the Župljanin Defence to all documents filed by the Prosecution on a confidential basis in the case of *Prosecutor v Mićo Stanišić*;
- (3) all orders to the Stanišić Defence made by the Trial Chamber in the *Stanišić* Decision shall apply to the Župljanin Defence.

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

Dated this twenty-sixth day of November 2008
At The Hague
The Netherlands



Judge Ole Bjørn Støle
Pre-Trial Judge

[Seal of the Tribunal]