

Before: Judge Burton Hall, Presiding  
Judge Guy Delvoie  
Judge Frederik Harhoff

IT-08-91-T  
09866-09860  
29 OCTOBER 2010

Registrar: Mr. John Hocking

Public Order

The Prosecutor  
v.  
Mićo Stanišić  
and  
Stojan Župljanin

Order to Redact the Public Transcript  
and the Public Broadcast of a Hearing

The Trial Chamber

( At the request of the Prosecutor and with the agreement of the parties )

ORDERS that the following highlighted text be omitted from the public transcript of the hearing dated 7 September 2010.

The screenshot shows a transcript window with a list of questions and answers. The text is as follows:

15:12:51:06 regulations were?

16:12:51:13 A. I suppose so.

17:12:51:17 Q. I mean, were you.

18:12:51:21 A. Yes, I was.

19:12:51:22 Q. Now, as -- from your understanding, was there a distinction

20:12:51:34 between a situation where there was an actual state of war and one where

21:12:51:40 an immediate threat of war had been declared, as far as the authority of

22:12:51:49 the military was concerned?

23:12:51:51 A. That's an international and legal question. During a state of

24:12:52:08 war, once it's declared, one should act in accordance with the situation,

25:12:52:18 and that is when the international laws of war come into force, guiding

55:12:52:23 and governing the procedures and everything else.

26:12:52:26 As for an immediate threat of war, but also the state of war, was

31:12:52:36 something that I never saw as being equal. As far as my competence was

41:12:52:44 concerned during the state of war, it was much broader, and I was

51:12:53:03 entitled to undertake more radical measures compared to any other state.

61:12:53:03 Q. In 1992 --

71:12:53:05 THE INTERPRETER: Microphone, please.

81:12:53:07 MS. KORNER: Never the right thing.

91:12:53:09 Q. In 1992, we know that an immediate threat of war was declared by

10:12:53:16 the Serbian Republic in Bosnia. Did the -- in that situation, did

11:12:53:27 peacetime laws and regulations apply to the military?

12:12:53:38 A. The declaration of an immediate threat of war had to be explained

13:12:53:50 and regulated in a lawful measure, which included other procedures to be

14:12:54:04 applied by the military and all other structures. [REDACTED]

15:12:54:06 never received anything in terms of the change of my status once the

16:12:54:15 declaration of an immediate threat of war was made. The situation

17:12:54:19 remained the same as before because there was not a single regulation

18:12:54:27 which would bind me to act differently under the state of an imminent

19:12:54:50 threat of war.

20:12:54:50 Q. And when you say "before," sir, do you mean, as it were, in

21:12:54:50 peacetime?

22:12:54:50 A. Precisely so. Because even in peacetime, we sometimes had an

23:12:55:05 elevated state of combat readiness declared. That is how we used to call

24:12:55:39 it. And we received orders to that effect from our superior commands.

25:12:55:40 During the state of an elevated combat readiness, it was clearly

56:12:55:40 and decisively stated which particular measures are to be taken and to

212:12:55:40 what these measures referred to specifically. However, what was not

312:12:55:44 included within the scope of these measures, we applied the usual

412:12:55:53 standard schedule of activities, according to the rules. For example,

512:12:56:10 if, during the state of elevated combat readiness, the issue of

612:12:56:11 regulating a ban on leaves, that means that all leaves were suspended,

712:12:56:18 both for privates and officers. Or, for example, if a measure was

812:12:56:29 imposed requires one-third of the officers to be in the unit 24 hours a

912:12:56:35 day, that was something that had to be complied with fully.

1012:12:56:40 Therefore, if a certain state of alert is declared, by certain

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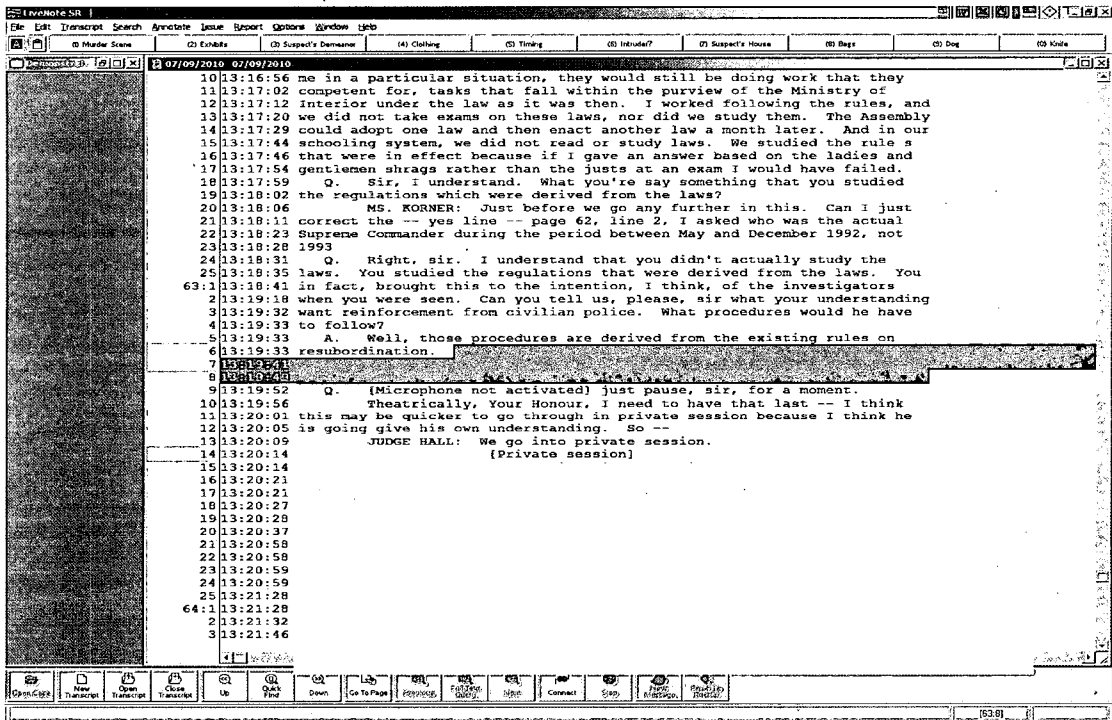
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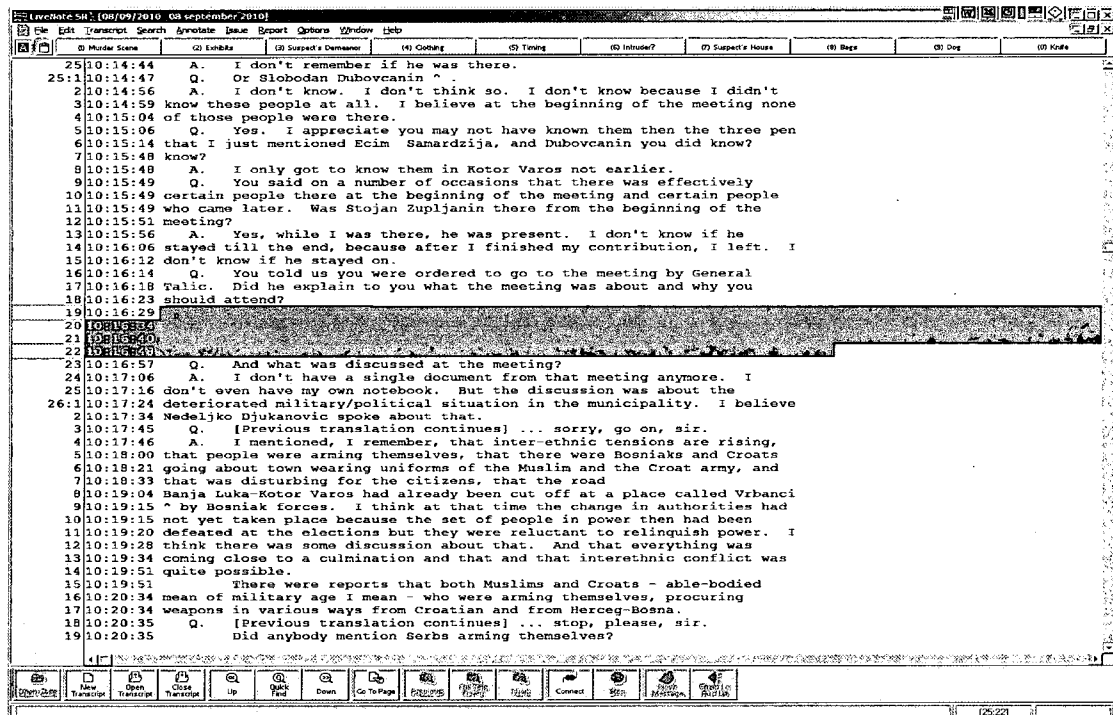
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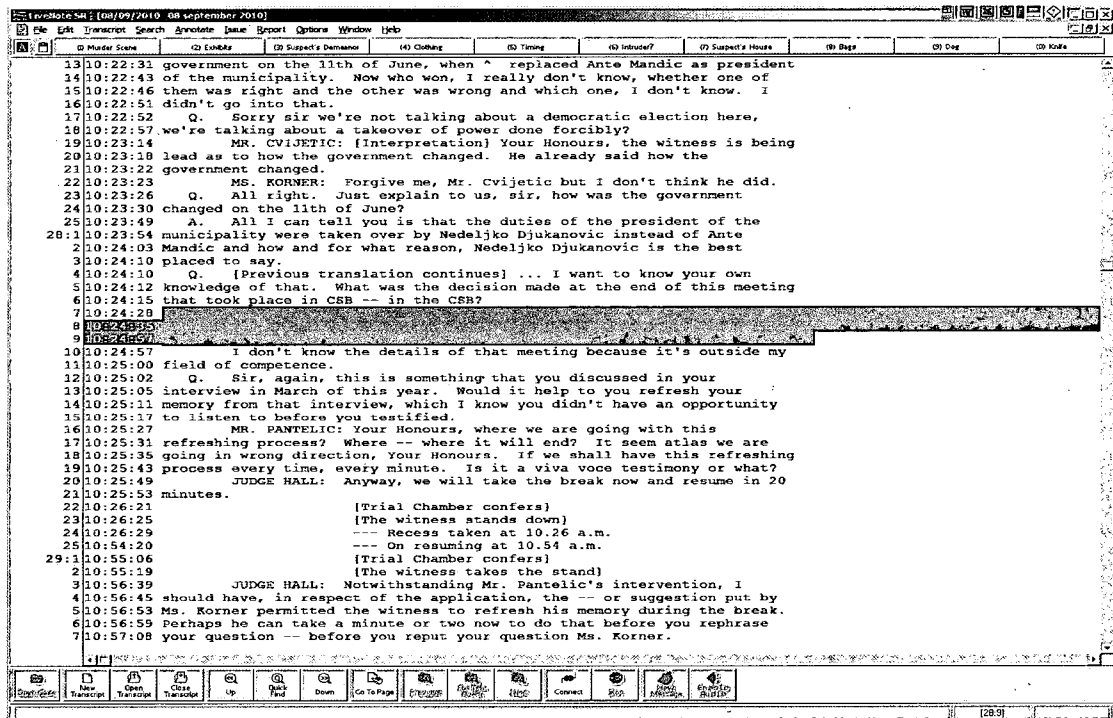
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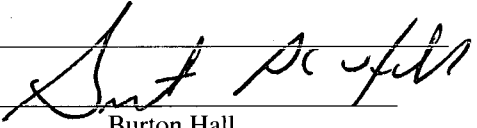
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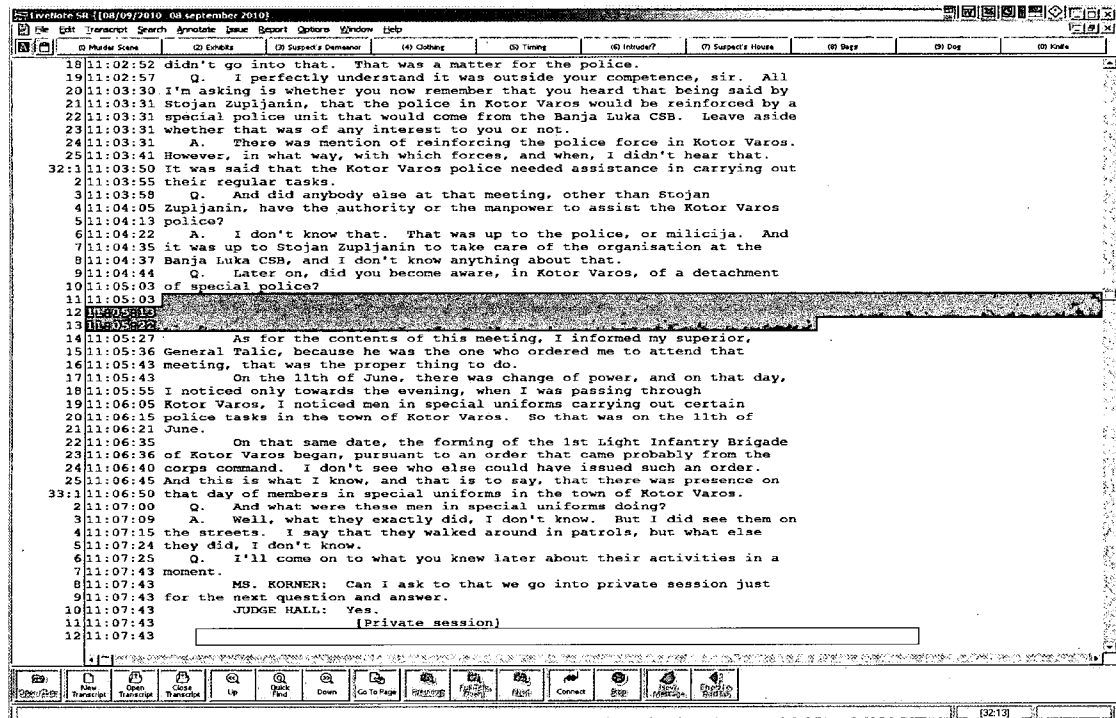
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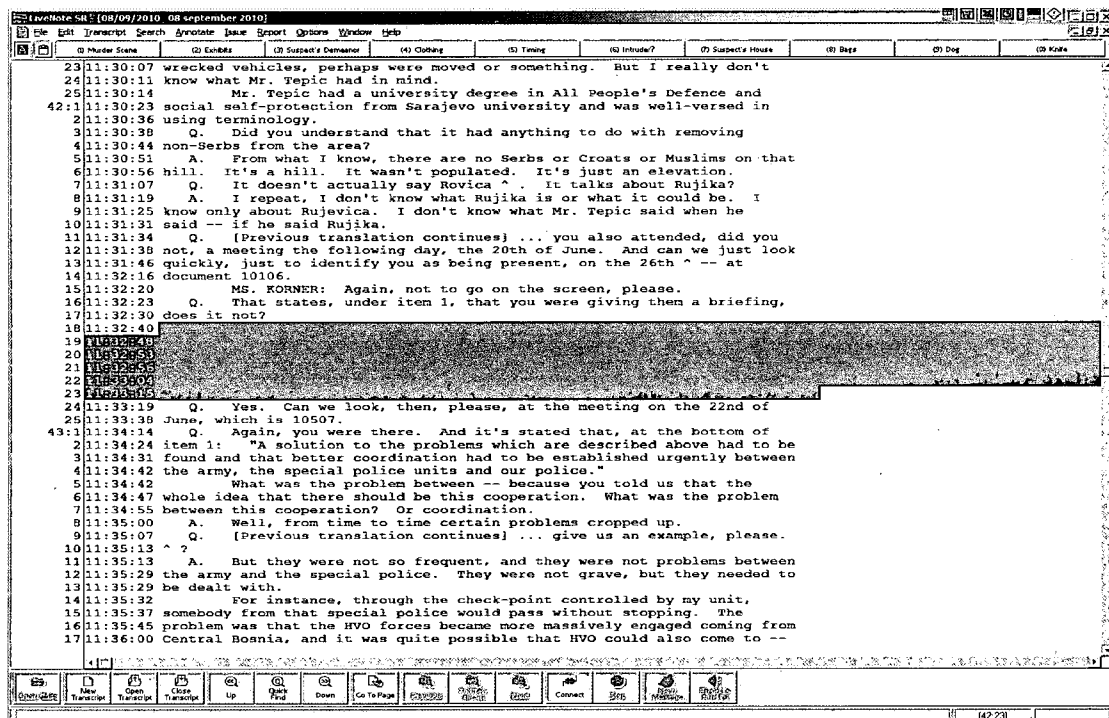
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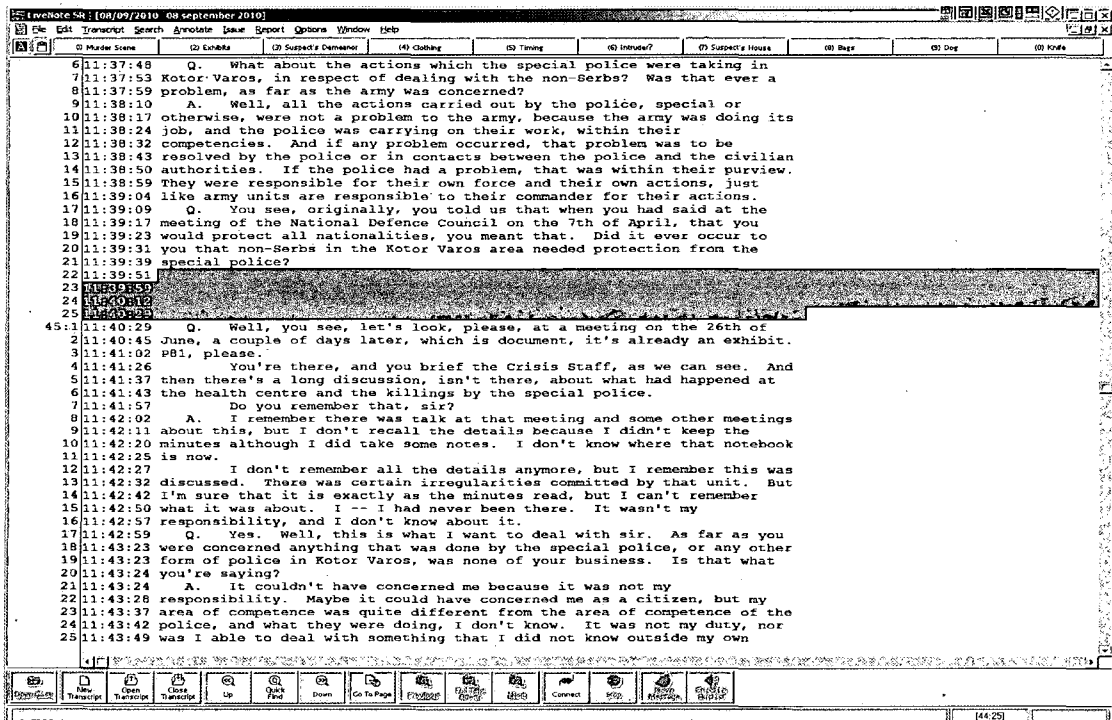
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