



International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991

Case No. IT-00-41-PT
Date: 27 October 2004
Original: English

IN TRIAL CHAMBER I

Before: Judge Liu Daqun, Presiding
Judge Amin El Mahdi
Judge Alphons Orié

Registrar: Mr. Hans Holthuis

Decision of: 27 October 2004

PROSECUTOR
v.
Paško LJUBIČIĆ

**DECISION ON PROSECUTION'S MOTION TO LIFT
CONFIDENTIALITY OF A FILING FROM THE CASE OF
*PROSECUTOR v. TIHOMIR BLAŠKIĆ***

The Office of the Prosecutor:

Mr. Mark Harmon
Ms. Magda Karagiannakis

Counsel for the Accused:

Mr. Tomislav Jonjić
Ms. Nika Pinter

TRIAL CHAMBER I 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 (the “Trial Chamber” and the “International Tribunal”);

BEING SEIZED of the “Prosecution’s Motion Concerning Confidential Filings from the Case of Prosecutor v. Tihomir Blaškić” filed on 18 October 2004 and to which are attached two annexes A (a redacted motion concerning a report by the accused Ljubičić and filed before the Appeals Chamber in the Blaškić case) and B (the confidential decision pertaining to this report) (“Motion”);

CONSIDERING that pursuant to Rule 75(G)(ii) of the Rules of Procedure and Evidence (“Rules”), the Prosecution seeks to lift the confidentiality of Annex B because it is anticipated that Annex B will be presented as evidence against the accused Ljubičić in this case;

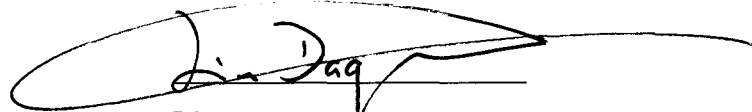
CONSIDERING that it is in the interests of justice to ensure that the proceedings before the Tribunal are public to the maximum extent possible; that there is no adverse consequences to victims, witnesses, or any other party in the public release of Annex B; that it is in the interests of the accused Ljubičić to have access to the information contained in Annex B;¹

PURSUANT to Rules 54 and 75 of the Rules;

HEREBY GRANTS the Motion.

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

Dated this 27th Day of October 2004,
At The Hague,
The Netherlands.



Liu Daqun
Presiding Judge

[Seal of the Tribunal]

¹ The weight to be given to that material if adduced as evidence at trial is to be assessed in accordance with Rule 89.
Case: IT-03-66-PT 27 October 2004