

**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-95-14-R
Date: 5 December 2005
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President
Registrar: Mr. Hans Holthuis
Order of: 5 December 2005

PROSECUTOR

v.

TIHOMIR BLAŠKIĆ

**ORDER WITHDRAWING CONFIDENTIAL STATUS
OF ORDERS ASSIGNING JUDGES**

Counsel for the Defence:

Mr. Anto Nobile
Mr. Russell Hayman

The Office of the Prosecutor:

Ms. Carla del Ponte

I, FAUSTO POCAR, President 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 (“International Tribunal”),

NOTING that the Appeals Chamber is seised of the “Request for Review or Reconsideration” filed confidentially by Prosecution on 29 July 2005 pursuant to Rule 119 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) against the Judgement rendered by the Appeals Chamber on 29 July 2004 in this case;

NOTING the “Order Replacing a Judge in a Case before the Appeals Chamber” issued confidentially by the President of the International Tribunal on 6 October 2005 (“Order of 6 October 2005”); the “Corrigendum” to the Order of 6 October 2005 issued confidentially on 17 October 2005 (“Corrigendum of 17 October 2005”); and the “Order Replacing a Judge in a Case Before the Appeals Chamber” issued confidentially on 18 November 2005 (“Order of 18 November 2005”);

CONSIDERING that pursuant to Rule 78 and 107 of the Rules, all proceedings before an Appeals Chamber, including the Appeals Chamber’s orders and decisions, shall be public unless there are exceptional reasons for keeping them confidential;¹

CONSIDERING that the Prosecution has notified the Appeals Chamber that it does not object to lifting the confidentiality of the fact that there are review proceedings ongoing in this case;

FINDING that there are no exceptional reasons for keeping the Order of 6 October 2005, the Corrigendum of 17 October 2005 and the Order of 18 November 2005 confidential;

HEREBY INSTRUCTS the Registry of the International Tribunal to lift the confidential status of the Order of 6 October 2005, the Corrigendum of 17 October 2005 and the Order of 18 November 2005 and **ORDERS** that forthwith, these documents shall be considered as public filings.

¹ *Prosecutor v. Naletilić and Martinović*, Case No. IT-98-34-A, Decision on Vinko Martinović’s Withdrawal of Confidential Status of Appeal Brief, 4 May 2005, p. 3. *See also* Rules 75 and 79 of the Rules.

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

Done this 5th day of December 2005,
At The Hague,
The Netherlands.



Judge Fausto Pocar
President

[Seal of the Tribunal]