

UNITED
NATIONS

IT-95-14 & 14/2-R77
D 1215- D 1214
22 August 2006

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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 Nos. IT-95-14 &
IT-95-14/2-R77
Date: 22 August 2006
Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge O-Gon Kwon
Judge Iain Bonomy

Registrar: Mr. Hans Holthuis

Decision of: 22 August 2006

PROSECUTOR

v.

JOSIP JOVIĆ

**DECISION GRANTING PROSECUTION'S CONFIDENTIAL MOTION SEEKING AN
ORDER WITH RESPECT TO EXHIBIT 18**

The Office of the Prosecutor
Ms. Ann Sutherland
Mr. Salvatore Cannata

Counsel for the Accused
Mr. Krešimir Krsnik

THIS TRIAL 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 (the “Tribunal”),

NOTING the Prosecution’s “*Confidential* Motion Seeking an Order with Respect to Exhibit 18”, filed on 21 August 2006 (the “Motion”), in which the Prosecution submits that its Exhibit 18 in this case is comprised of three versions of the witness list in the case of *Prosecutor v. Blaškić*, the first two versions of which identify protected witnesses whose names should be kept confidential,

NOTING the statement in the Motion that, when the Prosecution moved to admit its exhibits in this case, it “did not expressly state that part of Exhibit 18 was confidential (the two versions of the Confidential Witness Lists), [and therefore] required to be admitted under seal”,¹

NOTING the request in the Motion that the two versions of the witness list which identify protected witnesses be removed from Prosecution Exhibit 18, given a new exhibit number and made confidential,

NOTING that the Accused has not indicated whether he will respond to the Motion, but


CONSIDERING that granting the Motion is in the interests of justice and that there is no need to await a response from the Accused,

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence,

HEREBY GRANTS the Motion and **ORDERS** the Registrar of the Tribunal to remove from Prosecution Exhibit 18 the two versions of the *Blaškić* witness list which identify protected witnesses, and to designate those two versions as “Prosecution Exhibit 19”, which is hereby **ADMITTED** into evidence as a confidential exhibit.

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

Dated this twenty-second day of August 2006.
At The Hague,
The Netherlands.



Judge Patrick Robinson
Presiding
[Seal of the Tribunal]

¹ *Confidential* Motion Seeking an Order with Respect to Exhibit 18, 21 August 2006, para. 4.