



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-05-88-R75H.2  
Date: 3 March 2008  
Original: English

**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before:** Judge Fausto Pocar, President

**Registrar:** Mr. Hans Holthuis

**Order of:** 3 March 2008

**THE PROSECUTOR**  
v.  
**VUJADIN POPOVIĆ**  
**LJUBIŠA BEARA**  
**DRAGO NIKOLIĆ**  
**LJUBOMIR BOROVIČANIN**  
**RADIVOJE MILETIĆ**  
**MILAN GVERO**  
**VINKO PANDUREVIĆ**

**PUBLIC**

**ORDER ASSIGNING A CHAMBER TO CONSIDER THE VARIATION OR  
RESCINDING OF PROTECTIVE MEASURES PURSUANT TO RULE 75(H)**

**The Applicant:**

Prosecutor's Office of Bosnia and Herzegovina

**The Office of the Prosecutor:**

Mr. Peter McCloskey

**Counsel for the Appellants:**

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović  
Mr. John Ostojić and Mr. Christopher Meek for Ljubiša Beara  
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić  
Mr. Aleksandar Lazarević and Mr. Miodrag Stojanović for Ljubomir Borovčanin  
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić  
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero  
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

PM

**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** the “Confidential Application from the Prosecutor’s Office of Bosnia and Herzegovina [*sic*] Pursuant to Rule 75(H)” confidentially filed on 25 February 2008 (“Application”) in which the Prosecutor’s Office of Bosnia and Herzegovina seeks access to confidential witness material in this case;<sup>1</sup>

**CONSIDERING** Rule 75(H) of the Rules of Procedure and Evidence of the International Tribunal, as amended on 12 July 2007;


**NOTING** the judicial authorization issued by the Court of Bosnia and Herzegovina on 21 February 2008;<sup>2</sup>

**NOTING** that proceedings in *Prosecutor v. Vujadin Popović et al.*, Case No. IT-05-88-T, are underway before Trial Chamber II;

**HEREBY ASSIGN**, with immediate effect, Trial Chamber II in *Prosecutor v. Vujadin Popović et al.*, Case No. IT-05-88-T, to consider the Application.

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

Done this 3<sup>rd</sup> day of March 2008,  
At The Hague,  
The Netherlands.

  
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Judge Fausto Pocar  
President

**[Seal of the International Tribunal]**

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<sup>1</sup> Application, para. 11.

<sup>2</sup> Application, p. 3.