



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-05-88/2-PT

Date: 27 January 2010

Original: English

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**IN TRIAL CHAMBER II**

**Before:** Judge Christoph Flügge, Presiding  
Judge Antoine Kesia-Mbe Mindua  
Judge Prisca Matimba Nyambe

**Registrar:** Mr. John Hocking

**Decision of:** 27 January 2010

**PROSECUTOR**

v.

**ZDRAVKO TOLIMIR**

**PUBLIC**

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**DECISION ON REGISTRY SUBMISSION PURSUANT TO RULE 33(B)**

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**Office of the Prosecutor**

Mr. Peter McCloskey

**The Accused**

Zdravko Tolimir

**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 (“Tribunal”);

**BEING SEISED OF** the “Registry Submission Pursuant to Rule 33(B)”, filed *ex parte* and confidentially on 18 December 2009 (“Registry Submission”);

**NOTING** the “Decision on Tolimir’s Motions for Access to Confidential Material in the Krstić Case and the Blagojević and Jokić Case with Partially Dissenting Opinion of Judge Kwon”, issued on 8 July 2009 (“Decision”), in which the Trial Chamber ordered, *inter alia*, that:

- (1) the Registry provide access for Tolimir and his defence team, subject to Rule 70 consent where applicable, and with the exception of material related to personal information about Krstić, Blagojević and Jokić and their family members, to all *inter partes* confidential material in the trial and appellate proceedings of the *Krstić* and the *Blagojević* cases;
- (2) to the extent possible, the Registry shall identify material related to personal information about Krstić, Blagojević and Jokić and their family members and shall not disclose such material to Tolimir and his defence team;<sup>1</sup>

**NOTING** that the Registry has identified and submitted the pages that it considers may contain personal information and seeks the guidance of the Trial Chamber as to how to proceed and “[i]n particular, [...] requests the Trial Chamber to review the provided material and advise which material thereof, if any, contains information which falls within the Chamber’s direction that material information about Krstić, Blagojević and Jokić and their family members not be disclosed”;<sup>2</sup>

**CONSIDERING** that in the circumstances it is in the interests of justice for the Registry to be given guidance on the identification of personal information about Krstić, Blagojević and Jokić and their family members;

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence;

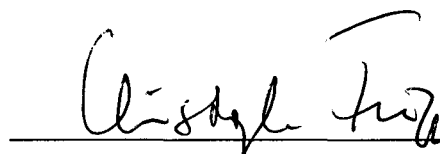
**HEREBY ORDERS** that the Registry consult with Krstić, Blagojević and Jokić and/or their counsel in the identification of material related to personal information.

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<sup>1</sup> Decision, para. 16.

<sup>2</sup> Registry Submission, para. 4.

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



Christoph Flügge  
Presiding Judge

Dated this 27th day of January 2010  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**