



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

IT-05-88-T 34463
D 34463-D 34461 P.K.
03 JUNE 2010

Case No.: IT-05-88-T

Date: 3 June 2010

Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge O-Gon Kwon
Judge Kimberly Prost
Judge Ole Bjørn Støle – Reserve Judge

Registrar: Mr. John Hocking

Order of: 3 June 2010

PROSECUTOR

v.

**VUJADIN POPOVIĆ
LJUBIŠA BEARA
DRAGO NIKOLIĆ
LJUBOMIR BOROVČANIN
RADIVOJE MILETIĆ
MILAN GVERO
VINKO PANDUREVIĆ**

PUBLIC

**ORDER ON OUTSTANDING DOCUMENTS MARKED FOR
IDENTIFICATION AND ON PUBLIC REDACTED VERSIONS OF THE
FINAL BRIEFS**

Office of the Prosecutor

Mr. Peter McCloskey

Counsel for the Accused

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović
Mr. John Ostojić and Mr. Predrag Nikolić for Ljubiša Beara
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić
Mr. Christopher Gosnell and Ms. Tatjana Čmerić 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. Simon Davis for Vinko Pandurević

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”);

NOTING that documents P03573, P04104, 3D00565, and 3D00567 remain marked for identification at this late stage of the proceedings;

CONSIDERING the need for certainty in relation to the admission status of all documents in the case;

RECALLING the Trial Chamber’s standpoint that public redacted versions of the Parties’ Final Briefs be filed;¹

NOTING that save for the Borovčanin Final Brief² and Chapter 14 of the Prosecution Final Brief,³ none of the Final Briefs have yet been filed publicly;

CONSIDERING that confidential filings should be the exception, in the light of the Accused’s right to a public trial and the general public’s right to information;

PURSUANT TO Articles 21 and 22 of the Statute, Rules 54, 86(B) and 89 of the Rules,

HEREBY ORDERS as follows:

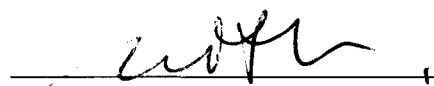
1. Documents P03573, P04104, 3D00565, and 3D00567, and any other documents still marked for identification, shall be marked as “not admitted” in eCourt.
2. The Parties, except for Borovčanin, shall file a public, redacted version of their respective final briefs by 31 July 2010.

¹ On 8 September 2009, the Trial Chamber invited all Parties in the public interest to file their respective final briefs publicly. *See* T. 34407–34408 (8 September 2009).

² A redacted, corrected version was filed on 23 April 2010.

³ On 8 September 2009, the Trial Chamber orally admitted the public version of Chapter 14, Sentencing, of the Prosecution Final Brief into evidence.

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



Carmel Agius
Presiding

Dated this third day of June 2010
At The Hague
The Netherlands

[Seal of the Tribunal]