



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-95-5/18-T

Date: 14 July 2010

Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge O-Gon Kwon, Presiding Judge  
Judge Howard Morrison  
Judge Melville Baird  
Judge Flavia Lattanzi, Reserve Judge

**Registrar:** Mr. John Hocking

**Decision of:** 14 July 2010

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**DECISION ON THE PROSECUTION'S REQUEST FOR THE RECLASSIFICATION OF  
PORTIONS OF TRANSCRIPTS OF TESTIMONY OF WITNESS KDZ185**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Accused**

Mr. Radovan Karadžić

**Standby Counsel**

Mr. Richard Harvey

**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”) is seised of the “Prosecution’s Request for Reclassification of Portions of Transcripts with Confidential Appendices A and B Witness KDZ185”, filed on 9 July 2010 (“Request”);

**RECALLING** that the Trial Chamber granted protective measures to KDZ185 in a confidential decision issued on 15 April 2010, *inter alia* in order to protect the identity of the witness;

**NOTING** that on 28, 29 and 30 June 2010, the Trial Chamber heard portions of the testimony of witness KDZ185 in private session, owing to concerns that information potentially identifying the witness not be publicised;

**NOTING** that in the Request the Office of the Prosecutor (“Prosecution“) states that the parties have agreed that the portions of the transcript highlighted in Confidential Appendices A and B (English and French versions) should be reclassified as public;<sup>1</sup>

**NOTING** that, pursuant to Rule 81(B) of the Rules of Procedure and Evidence (“Rules”), the Trial Chamber, after giving due consideration to any matters relating to witness protection, may order the disclosure of all or part of the record of closed proceedings when the reasons for ordering its non-disclosure no longer exist;

**CONSIDERING** that the portions of KDZ185’s testimony highlighted by the Prosecution in Appendices A and B to the Request indeed do not contain any information tending to identify the witness, and that it is in the interests of justice for those portions of the transcript to be made public;

**PURSUANT** to Rules 54 and 81(B) of the Rules the Trial Chamber hereby,

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<sup>1</sup> Request, para 2.

**GRANTS** the Request and **ORDERS** that the highlighted portions of the transcript of 28 and 29 June 2010, contained in Confidential Appendices A and B to the Request, be made public.

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



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Judge O-Gon Kwon  
Presiding

Dated this 14 day of July 2010  
At The Hague  
The Netherlands

[Seal of the Tribunal]