

**UNITED
NATIONS**



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: 23 February 2011
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: 23 February 2011

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON ACCUSED'S MOTION TO RECLASSIFY AS PUBLIC
CERTAIN PORTIONS OF THE TRANSCRIPT RELATING TO
BERKO ZEČEVIĆ**

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”),

BEING SEISED of the Accused’s oral motion to reclassify as public certain confidential portions of the transcript relating to witness Berko Zečević (“Motion”), made by his legal adviser, Mr. Peter Robinson, on 16 February 2011;¹

NOTING that, Mr. Robinson referred to several private session portions of the transcript on various dates as those which should be rendered public;²

NOTING that this Chamber has already reclassified as public certain documents related to Berko Zečević that were originally filed confidentially;³

NOTING that Rule 78 of the Tribunal’s Rules of Procedure and Evidence (“Rules”) provides, “all proceedings before a Trial Chamber, other than deliberations of the Chamber, shall be held in public, unless otherwise provided”;

HAVING REVIEWED the portions of the transcript requested by Mr. Robinson to be made public and having received no objection from the Office of the Prosecutor;

CONSIDERING that it is in the interests of justice for these portions to now be made public;

PURSUANT TO Rules 54 and 78 of the Rules, the Chamber hereby **GRANTS** the Motion and **ORDERS** the Registry of the Tribunal to render public the following portions of the transcript,

(13 January 2011) T. 10073:14-10076:7;

(14 January 2011) T. 10265:6-10265:25;

(26 January 2011) T. 10770:22-10771:23, T. 10772:7-10772:24;

(28 January 2011) T.10900:25-10904:18;

(31 January 2011) T. 10906:20-10907:22;

(1 February 2011) T. 11068:6-10072:15;

(3 February 2011) T. 11290:21-11291:22; and

¹ Hearing, T. 12049-12050 (16 February 2011).

² The dates and transcript page numbers were communicated by Mr. Robinson to the Chamber’s legal officer by email on 16 February 2011.

³ Hearing, T. 11839-11840 (15 February 2011).

(11 February 2011) T. 11734:16-11734:23.

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



Judge O-Gon Kwon
Presiding

Done this twenty-third day of February 2011
At The Hague
The Netherlands

[Seal of the Tribunal]