

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-08-91-T
Date: 20 April 2011
Original: English

IN TRIAL CHAMBER II

Before: Judge Burton Hall, Presiding
Judge Guy Delvoie
Judge Frederik Harhoff

Registrar: Mr. John Hocking

Decision of: 20 April 2011

PROSECUTOR

v.

MIĆO STANIŠIĆ AND STOJAN ŽUPLJANIN

PUBLIC

**ORDER RESCINDING THE
PROTECTIVE MEASURES OF ST219**

Prosecutor v. Stanišić and Župljanin

Office of the Prosecutor

Ms. Joanna Korner
Mr. Thomas Hannis

Counsel for the Accused

Mr. Slobodan Zečević and Mr. Slobodan Cvijetić for Mićo Stanišić
Mr. Dragan Krgović and Mr. Aleksandar Aleksić for Stojan Župljanin

Prosecutor v. Karadžić

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby Counsel

Mr. Richard Harvey

TRIAL CHAMBER II (“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 “Prosecution’s motion to rescind protective measures for witness ST-219 with Appendix A”, filed confidentially and *ex parte* on 12 April 2011 (“Motion”), whereby the Prosecution requests rescission of the protective measures that the Trial Chamber granted to ST219 on 22 November 2010 prior to his testimony on the same date;¹

RECALLING that pursuant to Rule 75(F) of the Rules of Procedure and Evidence (“Rules”) protective measures apply *mutatis mutandis* in, *inter alia*, any other proceedings before the Tribunal;

NOTING that the Prosecution intends to call ST219 in the *Karadžić* case and that the witness “has informed the Victims and Witnesses Section and [the Prosecution] of his desire to testify without protective measures”;²

HAVING CONSULTED the Victims and Witnesses Section pursuant to Rule 75(J), which confirms that ST219 wishes that his protective measures be lifted, including those that apply to his testimony in this case;

FINDING that the reasons for the protective measures no longer apply;

CONSIDERING that the Accused Radovan Karadžić will not be prejudiced by issuing this decision in the absence of any response from him;

PURSUANT TO Rules 54 and 75;

RESCINDS the protective measures that apply to ST219;

LIFTS the confidential status of the transcript of ST219’s testimony in the *Stanišić and Župljanin* case, including the parts thereof which were heard in private session;

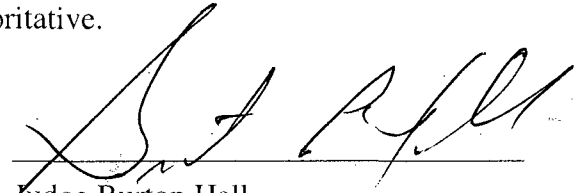
LIFTS the confidential and *ex parte* status of the Motion; and

¹ Oral decision, 22 Nov 2010, T. 17616, granting pseudonym and, where necessary to protect the witness’s identity, private session testimony. See also Written reasons for the Trial Chamber’s oral decision granting in part the Prosecution’s urgent motion seeking protective measures for witness ST219, confidential, 23 Nov 2011.

² Motion, para. 3, and Appendix A.

ORDERS the Registrar to provide the Motion to the Defence of Mićo Stanišić and to the Defence of Stojan Župljanin.

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



Judge Burton Hall
Presiding

Dated this twentieth day of April 2011

At The Hague

The Netherlands

[Seal of the Tribunal]